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# TALES OF A GRANDFATHER

BEING STORIES FROM THE

# HISTORY OF SCOTLAND.

THIRD SERIES.

VOL. I.

See Page 74. Vol. II.

PRINTED FOR CADELL & Co
EDINBURGH.

1830.

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# TALES

OF

# A GRANDFATHER;

BEING

# STORIES

TAKEN FROM

# SCOTTISH HISTORY.

HUMBLY INSCRIBED

TO

HUGH LITTLEJOHN, Esq.

IN THREE VOLS.

VOL. I.

Third Series.

By Sir Walter Scott

PRINTED FOR CADELL AND CO. EDINBURGH;
SIMPKIN AND MARSHALL, LONDON; AND
JOHN CUMMING, DUBLIN.

1830.

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# PREFATORY LETTER.

TO HUGH LITTLEJOHN, ESQ.

My dear Child,

I have now finished the task I had imposed on myself, of giving you an opportunity of acquiring a knowledge of the past events of Scottish History; and a bloody and tragic tale it has been. The generation of which I am an individual, and which, having now seen the second race of their successors, must

soon prepare to leave the scene, have been the first Scotsmen who appear likely to quit the stage of life, without witnessing either foreign or domestic war within their country. Our fathers beheld the civil convulsion of 1745-6,—the race who preceded them saw the commotions of 1715, 1718, and the war of the Revolution in 1688-9. A third and earlier generation witnessed the two insurrections of Pentland Hills and Bothwell Bridge, and a fourth lived in the bloody times of the great Civil War; a fifth had in memory the civil contests of James the Sixth's minority; and a sixth race carries us back to the long period when the blessings of peace were totally unknown, and the state of constant hostility between England and Scotland,

was only interrupted by insecure and ill-kept truces of a very few years' endurance.

And even in your Grandfather's own time, though this country was fortunate enough to escape becoming the theatre of bloody conflict, yet we had only to look abroad to witness such extensive scenes of war and slaughter, such subversion of established states, and extinction of ancient dynasties, as if the European world was again about to return to the bondage of an universal empire. We have, therefore, had an unexpected, and almost unhoped-for escape from the evils of war in our own country, at the expense of beholding from our island the general devastation of the Continent, with the frequent alarm that we

ourselves were about to be involved in it.

It is with sincere joy that I see a period arrived, in which the rising generation may for a time at least be less likely either to hear of, or to witness, the terrors of actual war. Even in the history of this small and barren country of Scotland, men may read enough of its miseries, to make them regret how often they have been occasioned by the explosions of party spirit. I have avoided, particularly in this small publication, every attempt to prejudice your mind in favour of any of those speculative opinions, which have been frequently the cause of unsheathing the sword of civil discord. Some years hence, you will, I hope, study with accuracy

the history of Scotland, with a view to form your own opinion which of the contending parties were right or wrong; and I hope you will then possess enough of judgment to perceive, that in political disputes, which, above all others, interest the passions, you are not to expect that either the one party or the other are to be regarded as infallible; and that you will remember that each particular action is to be judged of by its own circumstances, and the motives of the actors,—not approved or condemned in the gross, because it is a measure of any particular faction. The present is not intended to be a controversial work. Indeed, if disputed points should be stated here as subjects of discussion, there is no space to argue them; and all

that could be brought forward would be the assertion of the author's own opinion, for which he is not entitled to claim any particular deference from other readers, and certainly is not disposed to require it from you, or to desire that you should take upon his authority what should be the subject of your own investigation.

Like most men of some experience in life, I entertain undoubtedly my own opinions upon the great political questions of the present and of future times; but I have no desire to impress these on my juvenile readers. What I have presumed to offer is a general, and, it is hoped, not an uninteresting selection of facts, which may at a future time

form a secure foundation for political sentiments.

I am more anxious that the purpose of this work should be understood, because a friendly and indulgent critic,* whose general judgment has been but too partially pronounced in favour of the author, has in one point misunderstood my intentions. My friendly Aristarchus, for such I must call him, has paid me the great compliment, (which I may boast of having to my utmost ability deserved,) that my little work contains no fault of commission; that is to say, he admits that I have not either concealed or falsified the truth of history in controverted points, which, in my

* Westminster Review for April, 1829.

opinion, would have been, especially in a work designed for the use of youth, a most unpardonable crime. But he charges me with the offence of omission, in leaving out inferences which he himself would have drawn from the same facts, and which he seems to think are too obvious not to be discerned, and too stubborn to be refuted. It is, on the contrary, my opinion, and has been ever since I came to years of understanding, that in many of these points his conclusions are liable to direct challenge, and in others to much modification. I must not, therefore, leave it to be supposed that I have deserted my banners, because I have not at this time and place thought it necessary to unfurl them.

But I could not introduce political dis-

cussions into any elementary work designed to inspire a love of study. In more mature years, the juvenile reader will have an opportunity of forming his own judgment upon the points of controversy which have disturbed our history; and I think he will probably find that the spirit of party faction, far from making demi-gods of the one side, and fiends or fools of the other, is itself the blot and stain of our annals—has produced under one shape or other its most tragic events—has blighted the characters of its best and wisest statesmen, and perhaps reserves for Britain at a future day, a repetition of the evils with which it has already afflicted our fathers.

That you, my dear child, and your

contemporaries, may escape so great an infliction, is the sincere hope and prayer

Of your affectionate

GRANDFATHER.

Sir Walter Scott

ABBOTSFORD,
1*st December*, 1829.

# CONTENTS.

## CHAP. I.

PAGE.

Mutual dislike between the Scotch and English—Divided Feeling in England in regard to the Union—Universal Discontent with the Union in Scotland—Disposition among all Parties to restore the Stewart Family—Education and Character of the Chevalier de St George—Promise of Louis XIV. to support the claims of the Family of James II.—Intrigues of the Jacobite Emissaries perplexing to the French King, who resolves to ascertain the temper of the Country by an Agent of his own, . 3

## CHAP. II.

The Spirit of Jacobitism kept alive by the improper manner in which the Treaty of Union was concluded—Mission of Lieut.-Col. Hooke from France to promote a Rebellion in Scotland—State of the Jacobite Party under the Dukes of Athole and Hamilton—Negotiations of Hooke—Preparations of the French King for an Expedition in behalf of the Chevalier de St George, and Arrival of the Cheva-

PAGE.

lier at Dunkirk to join it.—General alarm in England—Sailing of the French Fleet—Their arrival in the Frith of Forth, and return to Dunkirk, without Landing—Vacillating Conduct of the Duke of Hamilton—Trial and Acquittal of the Stirlingshire Jacobites—Introduction of Commissions of Oyer and Terminer into Scotland—Abolition of Examinations by Torture—Penalties formerly annexed to Cases of High Treason, . . . . 28

CHAP. III.

Characters of the Leading Men in Scotland—the Dukes of Hamilton and Argyle, and the Earl of Mar—Reception of the Scottish Members in Parliament—Differences between the Scottish Peers and Commoners—Reconciliation between them in consequence of the Discussion of the Question, whether Scottish Peers, on being created Peers of Great Britain, had a right to sit in the House of Lords—Debate on the Question, whether the Malt Tax ought to be extended to Scotland—Motion for the Abolition of the Union—negatived by a Majority of only Four—Ferment occasioned by the Publication of Swift's Pamphlet on "The Public Spirit of the Whigs," . . . . . 67

CHAP. IV.

Influence of the Duchess of Marlborough over Queen Anne—Trial of Doctor Sacheverel—Unpopularity

PAGE.

of the Whigs—their Dismissal from the Ministry —Accession of Harley and the Tory Party to Power—Peace of Utrecht—Plan of the Queen for bringing in her Brother, the Chevalier de St George, as Successor to the Throne—Intrigues of Viscount Bolingbroke for the same end—Duel between the Duke of Hamilton and Lord Mohun—Mission of Bolingbroke to Paris, . . . . . 107

## CHAP. V.

Persecution of the Scottish Episcopalians by the Presbyterians—Act of Toleration—Abjuration Oath —Law of Patronage—Pensions given to the Highland Chiefs to preserve their attachment to the Jacobite Interest—Preparations of the Whigs to secure the Succession of the House of Hanover—Quarrel between Oxford and Bolingbroke—Death of Queen Anne, . . . . . 113

## CHAP. VI.

Proclamation of King George I.—The Earl of Stair's Embassy to France—his influence in preventing opposition on the part of Louis XIV. to the Accession of the Elector of Hanover—State of Parties on the arrival of George I.—Imprisonment of Oxford, and Impeachment of Bolingbroke and Ormond—Insurrection planned by the Jacobites— The Earl of Mar is repulsed in his advances to

PAGE.

the new Monarch, and retires to Scotland—The Scottish Cavaliers—Hunting of Braemar, and resolution of the Jacobite Leaders to take up arms—Attempt to surprise Edinburgh Castle—Preparations of Government to oppose the Insurgent Jacobites, . . . . . 158

CHAP. VII.

Raising of the Standard for the Chevalier de St George and Proclamation of him as James VIII. of Scotland and III. of England and Ireland—Capture of Perth by the Jacobites—Incapacity of Mar as a General—Plan of an Expedition into the Low Country, . . . . . 221

CHAP. VIII.

Progress of Insurrection in the South of Scotland—Catastrophe in the Family of Hepburn of Keith—Rising of the Jacobites of the Western Frontier, under Kenmure, and of those of the North of England, under Forster—Junction of Kenmure's Party with that of Forster—Reinforcements join Mar at Perth, his Head-quarters—Delay in the Rising of the Western Clans—Procrastination of Mar—Descent of MacIntosh upon Lothian—Junction of MacIntosh with Kenmure and Forster at Kelso—They hold a Council, to decide on their plan of Operations, . . . . . 242

## CHAP. IX.

PAGE.

The Earl of Mar remains inactive at Perth—his resolution to march upon Stirling—his Advance, Abandonment of the Plan, and Return to Perth—Surprisal of a Jacobite Detachment at Dunfermline—Argyle joined by Reinforcements—Mar also joined by Seaforth, General Gordon, with the Clans of the West, and Breadalbane—Both Armies, being now fully reinforced, have no further pretext for postponing Active Operations, . . . . 298

# TALES OF A GRANDFATHER.

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# TALES OF A GRANDFATHER.

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### CHAP. I.

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We are now, my dear child, approaching a period more resembling our own than those through which I have hitherto conducted you. In England, and in the Lowlands of Scotland, men used the same language, possessed

in a considerable degree the same habits of society, and lived under the same forms of government, which have existed in Britain down to the present day. The Highlanders, indeed, retained their ancient manners; and although, from the establishment of forts and garrisons in their country, the laws had much more power over them than formerly, so that they could no longer break out into the same excesses, they still remained, in their dress, customs, manners, and language, much more like the original Scots in the reign of Malcolm Canmore, than the Lowlanders of the same period resembled their ancestors of the seventeenth century.

But though the English and Lowland Scots exhibited little distinction in their manners and habits, excepting that those of the latter people indicated less wealth or refinement of luxury, there was no sympathy of feeling between them, and the recent measure of the Union had only an effect resembling that of putting two quar-

relsome dogs into the same couples, or two sullen horses into the same yoke. Habit may in course of time teach them to accommodate themselves to each other; but the first consequence of the compulsory tie which unites them is the feeling of aggravated hostility.

The predominant prejudices of the English represented the Scots, in the language of the celebrated Dean Swift, as a poor, ferocious, and haughty people, detesting their English neighbours, and looking upon them as a species of Egyptians, whom it was not only lawful but commendable to plunder, whether by open robbery or secret address. The poverty of the North Britons, and the humble and patient labour by which individuals were frequently observed to emerge from it, made them the objects of contempt to the English; while, on the other hand, the irascible and turbulent spirit of the nation, and a habitual use of arms, exposed them to aversion and hatred. This peculiar characteristic was, at the time of the

Union, very general in Scotland. The Highlanders, you must remember, always carried weapons, and if thought of at all by their southern neighbours, they must have been considered as absolute and irreclaimable savages. The Lowlanders were also used to arms at this period, for almost the whole Scottish nation had been trained under the Act of Security; the population was distributed into regiments, and kept ready for action; and, in the gloomy and irritated state of mind in which the Scots had been placed by the management of the Union treaty, they spoke of nothing more loudly and willingly than of war with England. The English had their especial reasons for disliking the Union. They did not, in general, feel flattered by the intimate confederacy and identification of their own rich country and civilized inhabitants with the boreal region of the North, and its rude and savage tribes. They were afraid that the craft, and patient endurance of labour of the Scots, would give them more than their share of the colonial trade

which they had hitherto monopolized to themselves.

Yet, though such was the opinion held by the English in general, the more enlightened part of the nation, remembering the bloody wars which had so long desolated Britain in its divided state, dated from the Union an era of peace and happiness to both countries; and, looking far into futurity, foresaw a time when the national prejudices, which for the present ran so high, would die out, or be eradicated, like the weeds which deface the labours of the agriculturist, and give place to plenty and to peace. It was owing to the prevalence of such feelings, that the Duke of Queensberry, the principal negotiator of the treaty of Union, when he left Scotland for London after the measure was perfected, was received with the greatest distinction in the English towns through which he passed. And when he approached the neighbourhood of London, many of the members of the two Houses came to meet and congratulate a statesman,

who, but for the guards that surrounded him, would, during the progress of the treaty, have been destroyed by his countrymen in the streets of Edinburgh!

In England, therefore, the Union had its friends and partisans. In Scotland it was regarded with an almost universal feeling of discontent and dishonour. The Jacobite party, who had entertained great hopes of eluding the act for settling the kingdom upon the family of Hanover, beheld them entirely blighted; the Whigs, or Presbyterians, found themselves forming part of a nation in which Prelacy was an institution of the state; the Country party, who had nourished a vain but honourable idea of maintaining the independence of Scotland, now saw it, with all its symbols of ancient sovereignty, sunk and merged under the government of England. All the different professions and classes of men saw each something in the obnoxious treaty, which affected their own interest.

The nobles of an ancient and proud land,

which they were wont to manage at their pleasure, were now stripped of their legislative privilege, unless in as far as exercised, like the rights of a petty corporation, by a handful of delegates; the smaller barons and gentry shared their humiliation, their little band of representatives being too few, and their voices too feeble, to produce any weight in the British House of Commons, to which a small portion was admitted.

The clergy's apprehension for their own system of church discipline was sensitively awakened, and their frequent warnings from the pulpit kept the terror of innovation before their congregations.

The Scottish lawyers had equal reason for alarm. They witnessed what they considered as the degradation of their profession, and of the laws, to the exposition of which they had been bred up. They saw their supreme civil court, which had spurned at the idea of having their decrees reviewed even in the Parliament, now subjected to appeal to the British House of Peers;

a body who could be expected to know little of law at all, and in which the Chancellor, who presided, was trained in the jurisprudence of another country. Besides, when the sceptre departed from Scotland, and the lawgiver no longer sate at her feet, it was likely that her municipal regulations should be gradually assimilated to those of England, and that her lawyers should by degrees be laid aside and rendered useless, by the introduction of the institutions of a foreign country which were strange to their studies.

The merchants and trading portion of Scotland also found grievances in the Union peculiar to themselves. The privileges which admitted the Scots into the colonial trade of England, only represented the apples of Tantalus, so long as local prejudices, want of stock, and all the difficulties incident to forcing capital into a new channel, or line of business, obstructed their benefiting by them. On the other hand, they lost all the advantage of their foreign trade whenever their traffic became obstructed by the impo-

sition of English duties. They lost, at the same time, a beneficial, though illicit trade, with England itself, which took place in consequence of foreign commodities being so much cheaper in Scotland. Lastly, the establishment of two Boards of Customs and Excise, with the introduction of a shoal of officers, all Englishmen, and, it was said, frequently men of indifferent and loose character, was severely felt by the commercial part of a nation, whose poverty had hitherto kept them tolerably free from taxation.

The tradesmen and citizens were injured in the tenderest point, by the general emigration of families of rank and condition, who naturally went to reside in London, not only to attend their duties in Parliament, but to watch for those opportunities of receiving favours which are only to be obtained by being constantly near the source of preferment; not to mention numerous families of consequence, who went to the metropolis merely for fashion's sake. This general emigration naturally drained Scot-

land of the income of the non-residents, who expended their fortunes among strangers, to the prejudice of those of their country folk, who had formerly lived by supplying them with necessaries or luxuries.

The agricultural interest was equally affected by the scarcity of money, which the new laws, the money drawn by emigrants from their Scottish estates, to meet the unwonted expenses of London, the decay of external commerce, and of internal trade, all contributed to produce.

Besides these peculiar grievances which affected certain classes or professions, the Scots felt generally the degradation, as they conceived it, of their country being rendered the subservient ally of the state, of which, though infinitely more powerful, they had resisted the efforts for the space of two thousand years. The poorest and meanest, as well as the richest and most noble, felt that he shared the national honour; and the former was even more deeply interested in preserving it untarnished than the latter,

because he had no dignity or consideration due to him personally or individually, beyond that which belonged to him as a native of Scotland.

There was, therefore, nothing save discontent and lamentation to be heard throughout Scotland, and men of every class vented their complaints against the Union the more loudly, because their sense of personal grievances might be concealed and yet indulged under popular declamations concerning the dishonour done to the country.

To all these subjects of complaint there lay obvious answers, grounded on the future benefits which the Union was calculated to produce, and the prospect of the advantages which have since arisen from it. But at the time immediately succeeding that treaty, these benefits were only the subject of distant and doubtful speculation, while the immediate evils which we have detailed were present, tangible, and certain. There was a want of advocates for the Union, as well as of arguments having immediate and

direct cogency. A considerable number of the regular clergy, indeed, who did not share the feverish apprehensions of prelatic innovation, which was a bugbear to the majority of their order, concluded it was the sounder policy to adhere to the Union with England, under the sovereignty of a Protestant Prince, than to bring back, under King James VII., the evils in church and state which had occasioned the downfall of his father. But by such arguments, the ministers who used them only lowered themselves in the eyes of the people, who petulantly replied to their pastors, that none had been more loud than they against the Union, until they had got their own manses,* glebes, and stipends † assured to them; although, that being done, they were now contented to yield up the civil rights of the Scottish monarchy, and endanger the stability of the Scottish church. Their hearers abandoned the kirks, and refused to attend the reli-

* Anglice—Parsonages. † Anglice—Tithes.

gious ordinances of such clergymen as favoured the Union, and went in crowds to wait upon the doctrines of those who preached against the treaty with the same zeal with which they had formerly magnified the Covenant. Almost all the dissenting and Cameronian ministers were anti-unionists, and some of the more enthusiastic were so peculiarly vehement, that long after the controversy had fallen asleep, I have heard my grandfather say, (for your grandfather, Mr Hugh Littlejohn, had a grandfather in his time,) that he had heard an old clergyman confess he could never bring his sermon, upon whatever subject, to a conclusion, without having what he called a *blaud*, that is a slap, at the Union.

If the mouths of the clergymen who advocated the treaty were stopped by reproaches of personal interest, with far more justice were those reproaches applied to the greater part of the civil statesmen, by whom the measure had been carried through and completed. The people of Scotland

would not hear these gentlemen so much as speak upon the great incorporating alliance, for the accomplishment of which they had laboured so effectually. Be the event of the Union what it would, the objection was personal to many of those statesmen by whom it was carried through, that they had pressed the destruction of Scottish independence, which it necessarily involved, for private and selfish reasons, resolving into the gratification of their own ambition or avarice. They were twitted with the meanness of their conduct even in the Parliament of Britain. A tax upon linen cloth, the staple commodity of Scotland, having been proposed in the House of Commons, was resisted by Mr Baillie of Jerviswood, and other Scottish members, favourers of the Union, until Mr Harley, who had been Secretary of State during the treaty, stood up, and cut short the debate, by saying, "Have we not bought the Scots, and did we not acquire a right to tax them? or for what other purpose did we give the equiva-

lent?" Lockhart of Carnwath arose in reply, and said, he was glad to hear it plainly acknowledged that the Union had been a matter of bargain, and that Scotland had been bought and sold on that memorable occasion; but he was surprised to hear so great a manager in the traffic name the equivalents as the price, since the revenue of Scotland itself being burdened in relief of that sum, no price had been in fact paid, but what must ultimately be discharged by Scotland from her own funds.

The detestation of the treaty being for the present the ruling passion of the times, all other distinctions of party, and even of religious opinions in Scotland, were laid aside, and a singular coalition took place, in which Episcopalians, Presbyterians, Cavaliers, and many friends of the revolution, drowned all former hostility in the predominant aversion to the Union. Even the Cameronians, who now formed a powerful body in the state, retained the same zeal against the Union when established, which had indu-

ced them to rise in arms against it while it was in progress.

It was evident, that the treaty of Union could not be abolished without a counter-revolution; and for a time almost all the inhabitants of Scotland were disposed to join unanimously in the Restoration, as it was called, of James the Second's son, to the throne of his fathers; and had his ally, the King of France, been hearty in his cause, or his Scottish partisans more united among themselves, or any leader amongst them possessed of distinguished talent, the Stewart family might have repossessed themselves of their ancient domain of Scotland, and perhaps of England also. To understand the circumstances by which that hope was disappointed, it is necessary to look back on the history of James II., and to take some notice of the character and situation of his son.

The Chevalier de Saint George, as he was called by a conventional name, which neither gave nor denied his royal pretensions,

was that unfortunate child of James II., whose birth, which ought in ordinary cases to have been the support of his father's throne, became by perverse chance the strongest incentive for pressing forward the Revolution. He lost his hopes of a kingdom, therefore, and was exiled from his native country, ere he knew what the words country or kingdom signified, and lived at the court of Saint Germains, where Louis XIV. permitted his father to maintain a hollow pageant of royalty. Thus the son of James II. was brought up in what is generally admitted to be the very worst way in which a prince can be educated; that is, he was surrounded by all the pomp and external ceremony of imaginary royalty, without learning by experience any part of its real duties or actual business. Idle and discontented men, who formed the mimicry of a council, and played the part of ministers, were as deeply engaged in political intrigues for ideal offices and dignities at the court of Saint Germains, as if actual rank or emo-

lument had attended them,—as reduced gamblers have been known to spend days and nights in play, although too poor to stake any thing on the issue of the game.

It is no doubt true, that the versatility of the statesmen of England, including some great names, offers a certain degree of apology for the cabinet of the dethroned prince, to an extent even to justify the hopes that a counter-revolution would soon take place, and realise the expectations of the St Germains courtiers. It is a misfortune necessarily attending the success of any of those momentous changes of government, which, innovating upon the constitution of a country, are termed revolutions, that the new establishment of things cannot for some time attain that degree of respect and veneration which antiquity can alone impress. Evils are felt under the new government, as they must under every human institution, and men readily reconcile their minds to correct them, either by adopting further alterations, or by returning to that order of things

which they have so lately seen in existence. That which is new itself, may, it is supposed, be subjected to further innovations without inconvenience, and if these are deemed essential and necessary, or even advantageous, there seems to ardent and turbulent spirits little reason to doubt, that the force which has succeeded so lately in destroying the institutions which had the venerable sanction of antiquity, may be equally successful in altering or remodelling that which has been the work of the present generation, perhaps of the very statesmen who are now desirous of innovating upon it. With this disposition to change still further what has been recently the subject of alteration, mingle other passions. There must always be many of those that have been active in a recent revolution, who have not derived the personal advantages which they were entitled, or, which is the same thing, thought themselves entitled, to expect. Such disappointed men are apt, in their resentment, to think that it depends only upon themselves

to pull down what they have assisted to build, and to rebuild the structure in the destruction of which they have been so lately assistants. This was in the utmost extent evinced after the English Revolution. Not only subordinate agents, who had been active in the Revolution, but some men of the highest and most distinguished talents, were induced to enter into plots for the restoration of the Stewarts. Marlborough, Carmarthen, and Lord Russell, were implicated in a correspondence with France in 1692; and indeed, throughout the reigns of William III. and Queen Anne, many men of consequence, not willing explicitly to lend themselves to counter-revolutionary plots, were yet not reluctant to receive projects, letters, and promises from the ex-king, and return in exchange vague expressions of good-will for the cause of their old monarch, and respect for his person.

It is no wonder, therefore, that the Jacobite ministers at St Germains were by such negotiations rendered confident that a

counter-revolution was approaching, or that they intrigued for their share in the honours and power which they conceived would be very soon at their master's disposal. In this they might, indeed, have resembled the hunters in the fable, who sold the bear's hide before they had killed him; but, on the other hand, they were less like simpletons who spend their time in gambling for nothing, than eager gamesters who play for a stake, which, though they do not yet possess, they soon expect to have at their disposal.

Amid such petty and empty feuds, it was not likely that the son of James II. should greatly augment the strength of mind of which nature had given him but a small share, especially as his father had laid aside those habits of business with which he was once familiar, and, resigning all hopes of his restoration, had abandoned himself entirely to the severities of ascetic devotion. From his advice and example, therefore, the Chevalier de St George could derive no

advantage; and Heaven had not granted him the talents which supply the place of instruction.

The heir of this ancient line was not, however, deficient in the external qualities which associate well with such distinguished claims. He was of tall stature, and possessed a nobly formed countenance, and courteous manners. He had made one or two campaigns with applause, and showed no deficiency of courage, if he did not display much energy. He appears to have been good-humoured, kind, and tractable. In short, born on a throne, and with judicious ministers, he might have been a popular prince; but he had not the qualities necessary either to win or to regain a kingdom.

Immediately before the death of his unfortunate father, the Chevalier de St George was consigned to the protection of Louis XIV. in an affecting manner. The French monarch came for the last time, to bid adieu to his unfortunate ally when stretched on his deathbed. Affected by the pathos of the scene,

and possessing in reality a portion of that royal magnanimity by which he was so ambitious of being distinguished, Louis declared publicly his purpose to recognise the title of his friend's son, as heir to the throne of Britain, and take his family under his protection. The dying prince half raised himself from his bed, and endeavoured to speak his gratitude; but his failing accents were drowned in a murmur of mingled grief and joy, which broke from his faithful followers. They were melted into tears, in which Louis himself joined. And thus was given, in a moment of enthusiasm, a promise of support which the French king had afterwards reason to repent of, as he could not gracefully shake off an engagement contracted under such circumstances of affecting solemnity; although in after periods of his reign, he was little able to supply the Chevalier de St George with such succours as his promise had entitled that prince to expect.

Louis was particularly embarrassed by the numerous plans and schemes for the in-

vasion of Scotland and England, proposed either by real Jacobites eager to distinguish themselves by their zeal, or by adventurers, who, like the noted Captain Simon Fraser, assumed that character, so as to be enabled either to forward the Chevalier de Saint George's interest, or betray his purpose to the English ministry, whichever might best advance the interest of the emissary. This Captain Fraser, (afterwards the celebrated Lord Lovat,) was looked upon with coldness by the Chevalier and Lord Middleton his secretary, but he gained the confidence of Mary of Esté, the widow of James II. Being at length, through her influence, dispatched to Scotland, Fraser trafficked openly with both parties; and although, whilst travelling through the Highlands, he held the character and language of a highflying Jacobite, and privately betrayed whatever he could worm out of them to the Duke of Queensberry, then the Royal Commissioner and Representative of Queen Anne, he had nevertheless the audacity to return to France,

and use the language of an injured and innocent man, till he was thrown into the Bastile for his double dealing. It is probable that this interlude of Captain Fraser, which happened in 1703, contributed to give Louis a distrust of Scottish Jacobite agents, and inclined him, notwithstanding the general reports of disaffection to Queen Anne's government, to try the temper of the country by an agent of his own, before resolving to give any considerable assistance towards an invasion, which his wars in Flanders, and the victories of Marlborough, rendered him ill able to undertake.

## CHAP. II.

*The Spirit of Jacobitism kept alive by the improper manner in which the Treaty of Union was concluded—Mission of Lieut.-Col. Hooke from France to promote a Rebellion in Scotland—State of the Jacobite Party under the Dukes of Athole and Hamilton—Negotiations of Hooke—Preparations of the French King for an Expedition in behalf of the Chevalier de St George, and Arrival of the Chevalier at Dunkirk to join it—General alarm in England—Sailing of the French Fleet—Their arrival in the Frith of Forth, and Return to Dunkirk, without Landing—Vacillating Conduct of the Duke of Hamilton—Trial and Acquittal of the Stirlingshire Jacobites—Introduction of Commissions of Oyer and Terminer into Scotland—Abolition of Examinations by Torture—Penalties formerly annexed to Cases of High Treason.*

THERE are two reflections which arise from what we have stated in the former chapter, too natural to escape observation.

In the first place, we are led to conclude that all leagues or treaties between nations, which are designed to be permanent, should be grounded not only on equitable, but on liberal principles. Whatever advantages are assumed from the superior strength, or more insidiously attained by the superior cunning, of one party or the other, operate as so many principles of decay, by which the security of the league is greatly endangered, if not actually destroyed. There can be no doubt that the open corruption and precipitate violence with which the Union was forced on, retarded for two generations the benefits which would otherwise have arisen from it; and that resentment, not so much against the measure itself, as against the disadvantageous terms granted to Scotland, gave rise to two, or, taking into account the battle of Glensheal, to three civil wars, with all the peculiar miseries which attended them. The personal adherence of many individuals to the Stewart family might have preserved Jacobite sen-

timents for a generation, but would scarce have had intensity sufficient to kindle a general flame in the country, had not the sense of the unjust and illiberal manner in which the Union was concluded come in aid of the zeal of the Jacobites, to create a general or formidable attack on the existing government. As the case actually stood, we shall presently see how narrowly the Union itself escaped destruction, and the nation a counter-revolution.

This conducts us to the second remark, which I wish you to attend to, namely, how that, with all the facilities of intercourse afforded by the manners of modern nations, it nevertheless is extremely difficult for one government to obtain what they may consider as trustworthy information concerning the internal affairs and actual condition of another, either from the statements of partisans, who profess themselves in league with the state which makes the enquiry, or from agents of their own, sent on purpose to pursue the investigation. The

first class of informants deceive their correspondents and themselves, by the warm and sanguine view which they take of the strength and importance of their own party; the last are incapable of forming a correct judgment of what they see and hear, for want of that habitual and familiar knowledge of the manners of a country which is necessary to enable them to judge what peculiar allowances ought to be made, and what special restrictions may be necessary, in interpreting the language of those with whom they communicate on the subject of their mission.

This was exemplified in the enquiries instituted by Louis XIV. for ascertaining the exact disposition of the people of Scotland towards the Chevalier de St George. The agent employed by the French monarch was Lieutenant-Colonel Hooke, an Englishman of good family. This gentleman followed King James II. to France, and was there received into the service of Louis XIV. to which he seems to have become so much at-

tached as to have been comparatively indifferent to that of the son of his former master. His instructions from the French King were, to engage the Scots who might be disposed for an insurrection as deeply as possible to France, but to avoid precise promises, by which he might compromise France in any corresponding obligation respecting assistance or supplies. In a word, the Jacobite or anti-unionist party were to have leave from Louis to attempt a rebellion against Queen Anne, at their own proper risk, providing the Grand Monarque, as he was generally termed, should be no further bound to aid them in the enterprise, or protect them in case of its failure, than he should think consistent with his magnanimity, and convenient for his affairs. This was no doubt a bargain by which nothing could be lost by France, but it had been made with too great anxiety to avoid hazard, to be attended with much chance of gaining by it.

With these instructions Colonel Hooke departed for Scotland in the end of Fe-

bruary or beginning of March 1707, where he found, as had been described by the correspondence kept up with the Scots, different classes of people eager to join in an insurrection, with the purpose of breaking the Union, and restoring the Stewart family to the throne. We must first mention the state in which he found the Jacobite party, with whom principally he came to communicate.

This party, which, as it now included the Country faction, and all others who favoured the dissolution of the Union, was much more universally extended than at any other period in Scottish history, either before or afterwards, was divided into two parties, having for their heads the Dukes of Hamilton and Athole, noblemen who stood in opposition to each other in claiming the title of the leader of the Jacobite interests. If these two great men were to be estimated according to their fidelity to the cause which they had espoused, their pretensions were tolerably equal, for neither of them could

lay much claim to the honour due to political consistency. The conduct of Athole during the Revolution had been totally adverse to the royal interest; and that of the Duke of Hamilton, on his part, though affecting to act as head of the opposition to the Union, was such as to induce some suspicion that he was in league with the government; since, whenever a decisive stand was to be made, Hamilton was sure to find some reason, better or worse, to avoid coming to extremities with the opposite party. Notwithstanding such repeated acts of defection on the part of these great dukes, their rank, talents, and the reliance on their general sincerity in the Jacobite cause, occasioned men of that party to attach themselves as partisans to one or other of them. It was natural that, generally speaking, men should choose for their leader the most influential person in whose neighbourhood they themselves resided, or had their property; and thus the Highland Jacobites beyond the Tay rallied under the Duke of Athole; those of

the south and west, under the Duke of Hamilton. From this it also followed, that the two divisions of the same faction, being of different provinces, and in different circumstances, held separate opinions as to the course to be pursued in the intended restoration.

The northern Jacobites, who had more power of raising men, and less of levying money, than those of the south, were for rushing at once into war without any delay, or stipulation of foreign assistance; and without further aid than their own good hearts and ready swords, expressed themselves determined to place on the throne him whom they termed the lawful heir.

When Hooke entered into correspondence with this class of the Jacobite party, he found it easy to induce them to dispense with any special or precise stipulations concerning the amount of the succours to be furnished by France, whether in the shape of arms, money, or auxiliaries, so soon as he represented to them that any specific nego-

tiation of this kind would be indelicate and unhandsome to the King of France, and probably diminish his inclination to serve the Chevalier de St George. On this point of pretended delicacy were these poor gentlemen induced to pledge themselves to risks likely to prove fatal to themselves, their rank, and their posterity, without any of the reasonable precautions which were absolutely necessary to save them from destruction.

But when the Duke of Hamilton, Lord Kilsythe, Lockhart of Carnwath, Cochrane of Kilmaronock, and other leaders among the Jacobites of the west, had a conference with Colonel Hooke, their answers were of a different tenor. They thought that to render the plan of insurrection at all feasible, there should be a distinct engagement on the part of the King of France, to send over the Chevalier de St George to Scotland, with an auxiliary army of ten, or, at the very least, of eight thousand men. Colonel Hooke used very haughty language in an-

swer to this demand, which he termed a "presuming to give advice to Louis XIV. how to manage his own affairs;" as if it had not been the business of the Jacobites themselves to learn to what extent they were to expect support, before staking their lands and lives in so dangerous an enterprise.

The extent of Colonel Hooke's success was obtaining a memorial, signed by ten lords and Chiefs, acting in the name, as they state, of the bulk of the nation, but particularly of thirty persons of distinction, from whom they had special mandates, in which paper they agreed that upon the arrival of the Chevalier de St George, they would make him master of Scotland, which was entirely in his interest, and immediately thereafter proceed to raise an army of twenty-five thousand foot, and five thousand horse. With this force they proposed to march into England, seize upon Newcastle, and distress the city of London by interrupting the coal trade. They stated their hope that the King would send with the Chevalier an auxiliary army

of at least five thousand men, some officers, and a general of high rank, such as the Scottish nobles would not scruple to obey. The Duke of Berwick, a natural son of the late king, and a general of first-rate talent, was particularly fixed upon. They also complained of a want of field-pieces, battering cannon, and arms of every kind, and stated their desire of a supply. And lastly, they dwelt upon the need they had of a subsidy of six hundred thousand livres, to enable them to begin the war. But they stated these in the shape of humble requests, rather than demands or conditions, and submitted themselves in the same memorial to any modification or alteration of the terms, which might render them more acceptable to King Louis. Thus Hooke made good the important point in his instructions, which enjoined him to take the Scottish Jacobites bound as far as possible to the King of France, while he should on no account enter into any negotiations which might bind his Majesty to any counter stipula-

tions. Louis showed considerable address in playing this game, as it is vulgarly called, of Fast and Loose, giving every reason to conclude that his ministers, if not the sovereign himself, looked less upon the invasion of Scotland as the means of effecting a counter-revolution, than in the light of a diversion, which would oblige the British to withdraw a large proportion of the troops which they employed in Flanders, and thus obtain a superiority for France on the general theatre of war. With this purpose, and to take the chance, doubtless, of fortunate events, and the generally discontented state of Scotland, the French court received and discussed at their leisure the prodigal offer of the Scottish Jacobites.

At length, after many delays, the French monarch actually determined upon making an effort. It was resolved to send to Scotland the heir of the ancient kings of that country, with a body of about five or six thousand men, being the force thought necessary by the faction of Athole—that of

Hamilton having demanded eight thousand men at the very least. It was agreed, that the Chevalier de St George should embark at Dunkirk with this little army, and that the fleet should be placed under the command of the Comte de Forbin, who had distinguished himself by several naval exploits.

When the plan was communicated by Monsieur de Pontchartrain, then minister for naval affairs, the commodore stated numerous objections to throwing so large a force ashore on the naked beach, without being assured of possessing a single harbour, or fortified place, which might serve them for a defence against the troops which the English government would presently dispatch against them. "If," pursued Forbin, "you have five thousand troops to throw away on a desperate expedition, give me the command of them; I will embark them in shallops and light vessels, and I will surprise Amsterdam, and, by destroying the commerce of the Dutch capital, take away all

means and desire on the part of the United Provinces to continue the war."—"Let us have no more of this," replied the minister; "you are called upon to execute the king's commands, not to discuss them. His majesty has promised to the King and Queen Dowager of England, (the Chevalier de St George and Mary d'Este,) that he is to give them the stipulated assistance, and you are honoured with the task of fulfilling his royal word." To hear was to obey, and the Comte de Forbin set himself about the execution of the design intrusted to him; but with a secret reluctance, which boded ill for the expedition, since, in bold undertakings, success is chiefly insured by the zeal, confidence, and hearty co-operation of those to whom the execution is committed. Forbin was so far from being satisfied with the commission assigned him, that he started a thousand difficulties and obstacles, all of which he was about to repeat to the monarch himself in a private interview, when

Louis, observing the turn of his conversation, cut his restive admiral short by telling him, that he was busy at that moment, and wished him a good voyage.

The commander of the land forces was the Comte de Gace, who afterwards bore the title of Maréchal de Matignon. Twelve battalions were embarked on board of eight ships of the line and twenty-four frigates, besides transports and shallops for disembarkation. The King of France displayed his magnificence, by supplying the Chevalier de St George with a royal wardrobe, services of gold and silver plate, rich liveries for his attendants, splendid uniforms for his guards, and all external appurtenances befitting the rank of a sovereign prince. At parting, Louis bestowed on his guest a sword, having its hilt set with diamonds, and, with that felicity of compliment which was natural to him above all other princes, expressed, as the best wish he could bestow upon his departing friend, his hope that they might never meet again. It

was ominous that Louis used the same turn of courtesy in bidding adieu to the Chevalier's father, previous to the battle of La Hogue.

The Chevalier departed for Dunkirk, and embarked the troops; and thus far all had been conducted with such perfect secrecy, that England was totally unaware of the attempt which was meditated. But an accident at the same time retarded the enterprise, and made it public. This was the illness of the Chevalier de St George, who was seized with the measles. It could then no longer remain a secret that he was lying sick in Dunkirk, with the purpose of heading an expedition, for which the troops were already embarked.

It was scarcely possible to imagine a country more unprepared for such an attack than England, unless it were Scotland. The great majority of the English army were then in Flanders. There only remained within the kingdom five thousand men,

and these chiefly new levies. The situation of Scotland was still more defenceless. Edinburgh castle was alike unfurnished with garrison, artillery, ammunition, and stores. There were not in the country above two thousand regular soldiers, and these were Scottish regiments, whose fidelity was very little to be reckoned upon, if there should, as was probable, be a general insurrection of their countrymen. The panic in London was great, at court, in camp, and in city: there was also an unprecedented run on the Bank, which, unless that great national institution had been supported by an association of wealthy British and foreign merchants, must have given a severe shock to public credit. The consternation was the more overwhelming, that the great men in England were jealous of each other, and, not believing that the Chevalier would have ventured over upon the encouragement of the Scottish nation only, suspected the existence of some general conspiracy, the explosion of which would take place in England.

Amid the wide-spreading alarm, active measures were taken to avert the danger. The few regiments which were in South Britain were directed to march for Scotland in all haste. Advices were sent to Flanders, to recall some of the British troops there for the more pressing service at home. General Cadogan, with twelve battalions, took shipping in Holland, and actually sailed for Tynemouth. But even amongst these there were troops which could not be trusted. The Earl of Orkney's Highland regiment, and that which is called the Scotch Fusileers, are said to have declared they would never use their swords against their country in an English quarrel. It must be added, that the arrival of this succour was remote and precarious. But England had a readier and more certain resource in the superiority of her navy.

With the most active exertions a fleet of forty sail of the line was assembled and put to sea, and, ere the French squadron commanded by Forbin had sailed, they be-

held this mighty fleet before Dunkirk, on the 28th of February, 1708. The Comte de Forbin, upon this formidable apparition, dispatched letters to Paris for instructions, having no doubt of receiving orders, in consequence, to disembark the troops, and postpone the expedition. Such an answer arrived accordingly; but while Forbin was preparing, on the 14th March, to carry it into execution, the English fleet was driven off the blockade by stress of weather; which news having soon reached the court, positive orders came, that at all risks the invading squadron should proceed to sea.

They sailed accordingly on 17th March from the road of Dunkirk; and now not a little depended on the accidental circumstance of wind and tide, as these should be favourable to the French or English fleets. The elements were adverse to the French. They had no sooner left Dunkirk road than the wind became contrary, and the squadron was driven into the roadstead called Newport-pits, from which place they could

not stir for the space of two days, when, the wind again changing, they set sail for Scotland with a favourable breeze. The Comte de Forbin and his squadron arrived in the entrance of the Frith of Forth, sailed as high up as the point of Crail, on the coast of Fife, and dropped anchor there, with the purpose of running up the Frith as far as the vicinity of Edinburgh on the next day, and there disembarking the Chevalier de St George, Maréchal Matignon, and his troops. In the meantime, they showed signals, fired guns, and endeavoured to call the attention of their friends, whom they expected to welcome them ashore.

None of these signals were returned from the land; but they were answered from the sea in a manner as unexpected as it was unpleasing. The report of five cannon, heard in the direction of the mouth of the Frith, gave notice of the approach of Sir John Byng and the English fleet, which had sailed the instant their admiral learned that the Comte de Forbin had put to sea; and

though the French had considerably the start of them, the British admiral contrived to enter the Frith immediately after the French squadron.

The dawn of morning showed the far superior force of the English fleet advancing up the Frith, and threatening to intercept the French squadron in the narrow inlet of the sea into which they had ventured. The Chevalier de St George and his attendants demanded to be put on board a smaller vessel than that commanded by Mons. de Forbin, with the purpose of disembarking at the ancient castle of Wemyss, on the Fife coast, belonging to the earl of the same name, a constant adherent of the Stewart family. This was at once the wisest and most manly course which he could have followed. But the son of James II. was doomed to learn, how little freewill can be exercised by the prince who has placed himself under the protection of a powerful auxiliary. Mons. de Forbin, after evading his request for some time, at length decidedly said to

him,—"Sire, by the orders of my royal master, I am directed to take the same precautions for the safety of your august person as for his Majesty's own. This must be my chief care. You are at present in safety, and I will never consent to your being exposed in a ruinous chateau, in an open country, where a few hours might put you in the hands of your enemies. I am intrusted with your person; I am answerable for your safety with my head; I beseech you, therefore, to repose your confidence in me entirely, and to listen to no one else. All those who dare give you advice different from mine, are either traitors or cowards." Having thus settled the Chevalier's doubts in a manner savouring something of the roughness of his profession, the Comte de Forbin bore down on the English admiral, as if determined to fight his way through the fleet. But as Sir George Byng made signal for collecting his ships to meet the enemy, the Frenchman went off on another tack, and, taking advantage of

the manœuvre to avoid the English admiral, steered for the mouth of the Frith. The English ships having been long at sea, were rather heavy sailers, while those of Forbin had been carefully selected and careen'd for this particular service. The pursuit of Byng was therefore in vain, excepting that the Elizabeth, a slow-sailing vessel of the French fleet, fell into his hands.

Admiral Byng, when the French escaped him, proceeded to Edinburgh to assist in the defence of the capital, in case of any movement of the Jacobites which might have endangered it. The Comte de Forbin, with his expedition, had, on the other hand, the power of choosing among all the ports on the north-east coast of Scotland, from Dundee to Inverness, the one which circumstances might render most eligible for the purpose of disembarking the Chevalier de St George and the French troops. But whether from his own want of cordiality in the object of the expedition, or whether, as was generally suspected by the Scottish Ja-

cobites at the time, he had secret orders from his court which regulated his conduct, Forbin positively refused to put the disinherited Prince, and the soldiers destined for his service, on shore at any part of the north of Scotland, although the Chevalier repeatedly required him to do so. The expedition returned to Dunkirk, from which it had been three weeks absent; the troops were put ashore and distributed in garrison, and the commanders hastened to court, each to excuse himself, and throw the blame of the failure upon the other.

On the miscarriage of this intended invasion, the malcontents of Scotland felt that an opportunity was lost, which never might, and in fact never did, again present itself. The unanimity with which almost all the numerous sects and parties in Scotland were disposed to unite in any measure which could rid them of the Union, was so unusual, that it could not be expected to be of long duration in so factious a nation. Neither was it likely that the kingdom of Scotland would,

after such a lesson, be again left by the English government so ill provided for defence. Above all, it seemed probable that the vengeance of the ministry would descend so heavily on the heads of those who had been foremost in expressing their good wishes to the cause of the Chevalier de St George, as might induce others to beware of following their example on future occasions.

During the brief period when the French fleet was known to be at sea, and the landing of the army on some part of the coast of Scotland was expected almost hourly, the depression of the few who adhered to the existing government was extreme. The Earl of Leven, commander-in-chief of the Scottish forces, hurried down from England to take the command of two or three regiments, which were all that could be mustered for the defence of the capital, and, on his arrival, wrote to the Secretary of State that the Jacobites were in such numbers, and showed themselves so elated, that he scarce dared look them in the face as he walked

the streets. On the approach of a fleet, the Earl drew up his army in hostile array on Leith sands, as if he meant to withstand any attempt to land. But great was his relief, when the approaching vessels of war showed the flag of England, instead of France, and proved to be those of Sir George Byng, instead of the Comte de Forbin's.

When this important intelligence was publicly known, it was for the Jacobites in their turn to abate the haughty looks before which their enemies had quailed, and reassume those which they wore as a suffering but submissive faction. The Jacobite gentlemen of Stirlingshire, in particular, had almost gone the length of rising in arms, or, to speak more properly, they had actually done so, though no opportunity had occurred of coming to blows. They had now, therefore, reason to expect the utmost vengeance of government.

This little band consisted of several men of wealth, influence, and property. Stirling of Keir, Seaton of Touch, Edmondstoun of

Newton, Stirling of Carden, and others, assembled a gallant body of horse, and advanced towards Edinburgh, to be the first who should offer themselves for the service of the Chevalier de St George. Learning by the way the failure of the expedition, they dispersed themselves, and returned to their own homes. They were seized, however, thrown into prison, and threatened to be tried for high treason.

The Duke of Hamilton, with that want of decision which gave his conduct an air of mysterious inconsistency, had left his seat of Kinniel to visit his estates in Lancashire, while the treaty concerning the French invasion was in dependence. He was overtaken on his journey by a friend, who came to apprise him, that all obstructions to the expedition being overcome, it might be with certainty expected on the coast in the middle of March. The Duke seemed much embarrassed, and declared to Lockhart of Carnwath, that he would joyfully return, were it not that he foresaw that this giving such

a mark of the interest he took in the arrival of the Chevalier, as that which stopping short on a journey, and returning to Scotland on the first news that he was expected, must necessarily imply, would certainly determine the government to arrest him on suspicion. But his Grace pledged himself, that when he should learn by express that the French were actually arrived, he would return to Scotland in spite of all opposition, and rendezvous at Dumfries, where Mr Lockhart should meet him with the insurgents of Lanarkshire, the district in which both their interests lay.

The Duke had scarcely arrived at his house of Ashton, in Lancashire, when he was arrested as a suspicious person, and was still in the custody of the messenger when he received the intelligence that the French armament had actually set sail. Even this he did not conceive a fit time to declare himself, but solemnly protested, that so soon as he should learn that the Chevalier had actually landed, he would rid himself of the

officer in whose custody he was, and set off for Scotland at the head of forty horse, to live or die in his service. As the Chevalier never set foot ashore, we have no means of knowing whether the Duke of Hamilton would have fulfilled his promise, which Mr Lockhart seems to have considered as candidly and sincerely given, or have had recourse to some evasion, as upon other critical occasions.

The government, as is usual in such cases, were strict in investigating the cause of the conspiracy, and menacing those who had encouraged it, in a proportion corresponding to the alarm into which they had been thrown. A great many of the Scottish nobility and gentry were arrested on suspicion, secured in prisons and strong fortresses in Scotland, or sent to London in a kind of triumph, on account of the encouragement they were supposed to have given to the invasion.

The Stirlingshire gentlemen, who had actually taken arms and embodied them-

selves, were marked out as the first victims, and were accordingly sent back to Scotland, to be tried in the country where they had committed the crime. They met more favourable judges than was perhaps to have been expected.

Being brought to trial before the High Court of Justiciary, several witnesses were examined, who had seen the gentlemen assembled together in a body, but no one had remarked any circumstance which gave them the character of a military force. They had arms, indeed, but few gentlemen of that day stirred abroad without sword and pistol. No one had heard any treasonable conversation, or avowal of a treasonable purpose. The jury, therefore, found the crime was *Not Proved* against them—a verdict which, by the Scottish law, is equivalent in its effects to one of Not Guilty, but which is applied to those cases in which the accused persons are clouded with such a shade of suspicion as renders their guilt probable in the eyes of the jury, though the accuser has

failed to make it good by proof. Their trial took place on the 22d November, 1708.

A short traditional story will serve to explain the cause of their acquittal. It is said, the Laird of Keir was riding joyfully home, with his butler in attendance, who had been one of the evidence produced against him on the trial, but who had, upon examination, forgot every word concerning the matter which could possibly prejudice his master. Keir could not help expressing some surprise to the man at the extraordinary shortness of memory which he had shown on particular questions being put to him. "I understand what your honour means very well," said the domestic coolly, "but my mind was made up rather to trust my own soul to the mercy of Heaven than your honour's body to the tender compassion of the Whigs." This tale carries its own commentary.

Having failed to convict conspirators who had acted so openly, the government found it would be hopeless to proceed against

those who had been arrested on suspicion only. This body included many noblemen and gentry of the first rank, believed to entertain Jacobite sentiments. The Duke of Gordon, the Marquis of Huntly, the Earls Seaforth, Errol, Nithsdale, Marischal, and Murray; Lords Stormont, Kilsythe, Drummond, Nairne, Belhaven, and Sinclair, besides many gentlemen of fortune and influence, were all confined in the Tower, or other state prisons. The Duke of Hamilton is supposed to have been successful in making interest with the Whigs for their release, his Grace proposing, in return, to give the ministers the advantage of his interest, and that of his friends, upon future elections. The prisoners were accordingly dismissed on finding bail.

The government, however, conceived that the failure to convict the Stirlingshire gentlemen accused of high treason, (of which they were certainly guilty,) arose less from the reluctance of witnesses to bear testimony against them, than in advantages afforded

to them by the uncertain and general provisions of the Scottish statutes in cases of treason. They proposed to remedy this by abrogating the Scottish law, and introducing that of England in its stead, and ordaining that treasons committed in Scotland should be tried and decided in what is technically called a Commission of *Oyer* and *Terminer*, *i. e.* a Court of Commissioners appointed for hearing and deciding a particular cause, or set of causes. This, it must be noticed, contained an important advantage to the government, since the case was taken from under the cognisance of the ordinary courts of justice, and intrusted to commissioners named for the special occasion, who must, of course, be chosen from men friendly to government, awake to the alarm arising from any attack upon it, and, consequently, likely to be somewhat prejudiced against the parties brought before them, as accomplices in such an enterprise. On the other hand, the new law, with the precision required by the English system,

was decided and distinct in settling certain forms of procedure, which, in Scotland, being left to the arbitrary pleasure of the judges, gave them an opportunity of favouring or distressing the parties brought before them. This was a dangerous latitude upon political trials, where every man, whatever might be his rank, or general character for impartiality, was led to take a strong part on one side or other of the question out of which the criminal interest had arisen.

Another part of the proposed act was, however, a noble boon to Scotland. It freed the country for ever from the atrocious powers of examination under torture. This, as we have seen, was currently practised during the reigns of Charles II. and his brother James; and it had been put in force, though unfrequently, after the Revolution. A greater injustice cannot be imagined, than the practice of torture to extort confession, although it once made a part of judicial procedure in every country of Europe, and is

still resorted to in some continental nations. It is easy to conceive, that a timid man, or one peculiarly sensible to pain, will confess crimes of which he is innocent, to avoid or escape from the infliction of extreme torture; while a villain, of a hardy disposition of mind and body, will endure the worst torment that can be imposed on him, rather than avow offences of which he is actually guilty.

The laws of both countries conformed but too well in adding to the punishment of high treason certain aggravations, which, while they must disgust and terrify the humane and civilized, tend only to brutalize the vulgar and unthinking part of the spectators, and to familiarize them with acts of cruelty. On this the laws of England were painfully minute. They enjoined that the traitor should be cut down from the gibbet before life and sensibility to pain were extinguished —that while half-strangled, his heart should be torn from his breast, and thrown into the fire—his body opened and embowelled,

and,—omitting other more shamefully savage injunctions,—that his corpse should be quartered, and exposed upon bridges and city towers, and abandoned to the carrion crow and the eagle. Admitting that high treason, as it implies the destruction of the government under which we live, is the highest of all possible crimes, still the forfeiture of life, which it does, and ought to infer, is the highest punishment which our mortal state affords. All the butchery, therefore, which the former laws of England prescribed, only disgusts or hardens the heart of the spectator; while the apparatus of terror seldom affects the criminal, who has been generally led to commit the crime by some strong enthusiastic feeling, either implanted in him by education, or caught up from sympathy with others; and which, as it leads him to hazard life itself, is not subdued or daunted by the additional or protracted tortures, which can be added to the manner in which death is inflicted.

Another penalty annexed to the crime of

high treason, was the forfeiture of the estates of the criminal to the crown, to the disinheriting of his children, or natural heirs. There is something in this difficult to reconcile to moral feeling, since it may, in some degree, be termed visiting the crimes of the parents upon the children. It may be also alleged, that it is hard to forfeit and take away from the lawful line of succession property which may have been acquired by the talents and industry of the criminal's forefathers, or, perhaps, by their meritorious services to the state. But, on the other hand, it must be considered, that there is something not unappropriate in the punishment of reducing to poverty the family of him, who, by his attack on the state, might have wrought the ruin of thousands of families. Nor is it less to be admitted, that this branch of the punishment has a quality always desirable—namely, a strong tendency to deter men from the crime. High treason is usually the offence of men

of rank and wealth; at least such, being the leaders in civil war, are usually selected for punishment. It is natural that such persons, however willingly they may venture their own persons, should be apt to hesitate when the enterprise involves all the fortunes of their house, name, rank, and other advantages, which, having received perhaps from a long train of ancestors, they are naturally and laudably desirous to transmit to their posterity.

The proposal for extending the treason law of England into North Britain, was introduced under the title of a bill for further completing and perfecting the Union. Many of the Scottish members alleged on the contrary, that the proposed enactments were rather a violation of the national treaty, since the bill was directly calculated to encroach on the powers of the Court of Justiciary, which had been guaranteed by the Union. This objection was lessened at least by an amendment on the bill, which decla-

red, that three of the Judges of Justiciary (so the Criminal Court of Scotland is termed) should be always included in any Commission of Oyer and Terminer.—The bill passed into a statute, and has been ever since the law of the land.

Thus was the Union completed. We shall next endeavour to show, in the phrase of mechanics, how this new machine worked; or, in other words, how this great alteration on the internal Constitution of Great Britain answered the expectations of those by whom the changes were introduced.

## CHAP. III.

*Characters of the Leading Men in Scotland—the Dukes of Hamilton and Argyle, and the Earl of Mar—Reception of the Scottish Members in Parliament—Differences between the Scottish Peers and Commoners—Reconciliation between them in consequence of the Discussion of the Question, whether Scottish Peers, on being created Peers of Great Britain, had a right to sit in the House of Lords—Debate on the Question, whether the Malt Tax ought to be extended to Scotland—Motion for the Abolition of the Union—negatived by a Majority of only Four—Ferment occasioned by the Publication of Swift's Pamphlet on "The Public Spirit of the Whigs."*

In order to give you a distinct idea of the situation in which Great Britain was placed at this eventful period, I shall first sketch the character of three or four of the principal persons of Scotland whose influence

had most effect in producing the course of events which followed. I shall then explain the course pursued by the Scottish representatives in the national Parliament; and these preliminaries being discussed, I shall, thirdly, endeavour to trace the general measures of Britain respecting her foreign relations, and to explain the effect which these produced upon the public tranquillity of the United Kingdom.

The Duke of Hamilton you are already somewhat acquainted with, as a distinguished character during the last Parliament of Scotland, when he headed the opposition to the treaty of Union; and also during the plot for invading Scotland and restoring the Stewart family, when he seems to have been regarded as the leader of the Lowland Jacobites, those of the Highlands rather inclining to the Duke of Athole. He was the peer of the highest rank in Scotland, and nearly connected with the royal family; which made some accuse him of looking towards the crown, a folly of

which his acknowledged good sense might be allowed to acquit him. He was handsome in person, courtly and amiable in manners, generally popular with all classes, and the natural head of the gentry of Lanarkshire, many of whom are descended from his own family. Through the influence of his mother, the Duchess, he had always preserved a strong interest among the Hillmen, or Cameronians, who had since the Revolution shown themselves in arms more than once; and, in case of a civil war or invasion, must have been of material avail. With all these advantages of birth, character, and influence, the Duke of Hamilton had a defect which prevented his attaining eminence as a political leader. He possessed personal valour, as he showed in his last and tragic scene, but he was destitute of political courage and decision. Dangers which he had braved at a distance, appalled him when they approached near; he was apt to disappoint his friends, as the horse who baulks the leap to which he has come gallantly up, endangers, or per-

haps altogether unseats, his rider. Even with this defect, Hamilton was beloved and esteemed by Lockhart, and other leaders of the Tory party, who appear rather to have regretted his unsteadiness as a weakness, than condemned it as a fault.

The next Scottish nobleman, whose talents made him pre-eminent on the scene during this eventful period, was John, Duke of Argyle, a person whose greatness did not consist in the accidents of rank, influence, and fortune, though possessed of all these in the highest order which his country permitted, since his talents were such as must have forced him into distinction and eminence, in what humble state soever he might have been born. This great man was heir of the ancient house of Argyle, which makes so distinguished a figure in Scottish history, and whose name occurs so often in the former volumes of these Tales. The Duke of whom we now speak was the great-grandson of the Marquis of Argyle who was beheaded after the Restoration, and grandson of the earl who suffered the same fate under

James II. The family had been reduced to very narrow circumstances, by those repeated acts of persecution.

The house of Argyle was indemnified at the Revolution, when the father of Duke John was restored to his paternal property, and in compensation for the injuries and injustice sustained by his father and grandfather, was raised to the rank of Duke. A remarkable circumstance which befell Duke John in his infancy, would, by the pagans, have been supposed to augur, that he was under the special care of Providence, and reserved for some great purposes. About the time (tradition says on the very day, 30th June, 1685,) that his grandfather, the Earl Archibald, was about to be executed, the heir of the family, then about seven years old, fell from a window of the ancient tower of Lethington, near Haddington, the residence at that time of his grandmother, the Duchess of Lauderdale. The height is so great, that the child escaping unhurt, might be accounted a kind of miracle.

Having entered early on a military life,

to which his family had been long partial, he distinguished himself at the siege of Keyserswart, under the eye of King William. Showing a rare capacity for business, he was appointed Lord High Commissioner to the Scottish Parliament in 1705, on which occasion he managed so well, as to set on foot the treaty of Union, by carrying through the Act for the appointment of Commissioners, to adjust that great national measure. The Duke, therefore, laid the first stone of an edifice, which, though carried on upon an erroneous and narrow system, was, nevertheless, ultimately calculated to be, and did in fact prove, the basis of universal prosperity to the United Kingdoms. In the last Scottish Parliament, his powerful eloquence was a principal means of supporting that great treaty. Argyle's name does not appear in any list of the sharers of the equivalent money; and his countrymen, amid the unpopularity which attached to the measure, distinguished him as having favoured it from real principle. Indeed, it is an honourable part of this

great man's character, that, though bent on the restoration of the fortunes of his family, sorely abridged by the mischances of his grandfather and great grandfather, and by the extravagances of his father, he had too much sense and too much honour ever to stoop to any indirect mode of gaining personal advantage, and was able, in a venal age, to set all imputations of corruption at defiance; whereas the statesman who is once detected bartering his opinions for lucre, is like a woman who has lost her reputation, and can never afterwards regain the public trust and good opinion which he has forfeited. Argyle was rewarded, however, by being created an English Peer, by the title of Earl of Greenwich, and Baron Chatham.

Argyle, after the Union was carried, returned to the army, and served under Marlborough with distinguished reputation, of which it was thought that great general even condescended to be jealous. At least it is certain that there was no cordiality between them, it being understood that when there

was a rumour that the Whig administration of Godolphin would make a push to have the Duke created general for life, in spite of the Queen's pleasure to the contrary, Argyle offered, if such an attempt should be made, to make Marlborough prisoner even in the midst of the victorious army which he commanded. At this time, therefore, he was a steady and zealous friend of Harley and Bolingbroke, who were then beginning their Tory administration. To recompense his valuable support, he was named by the Tory ministry commander-in-chief in Spain, and assured of all the supplies in troops and money which might enable him to carry on the war with success in that kingdom, where the Tories had all along insisted it should be maintained. With this pledge, Argyle accepted the appointment, in the ambitious hope of acquiring that military renown which he principally coveted.

But the Duke's mortification was extreme in finding, on his arrival in Spain, the British army in a state too wretched to undertake

any enterprise of moment, and indeed unfit even to defend its positions. The British ministers broke the word they had pledged for his support, and sent him neither money, supplies, nor reinforcements; so that instead of rivalling Marlborough, as had been his ambition, in conquering territories and gaining battles, Argyle saw himself reduced to the melancholy necessity of retiring to Minorca to save the wreck of the army. The reason given by the ministers for this breach of faith was, that having determined on that accommodation with France which was afterwards termed the peace of Utrecht, they did not desire to prosecute the war with vigour either in Spain or any other quarter. Argyle fell sick with mortified pride and resentment. He struggled for life in a violent fever, and returned to Britain with vindictive intentions towards the ministers, who had, he thought, disappointed him, by their breach of promise, of an ample harvest of glory.

On his return to England, the ministers,

Harley, now Earl of Oxford, and the Lord Bolingbroke, endeavoured to soothe the Duke's resentment by appointing him commander-in-chief in Scotland, and governor of the Castle of Edinburgh; but notwithstanding, he remained a bitter and dangerous opponent of their administration, formidable by his high talents, both civil and military, his ready eloquence, and the fearless energy with which he spoke and acted. Such was the distinguished John Duke of Argyle, whom we shall often have to mention in these pages.

John, eleventh Earl of Mar, of the name of Erskine, was also a remarkable person at this period. He was a man of quick parts and prompt eloquence, an adept in state intrigues, and a successful courtier. His paternal estate had been greatly embarrassed by the mismanagement of his father, but in a great measure redeemed by his own prudent economy. He obtained the command of a regiment of foot, but though we are about to see him at the head of an army, it does not

appear that Mar had given his mind to military affairs, or acquired experience by going on actual service. His father had been a Whig, and professed Revolution principles, and the present Earl entered life bearing the same colours. He brought forward in the Parliament of Scotland the proposal for the treaty of Union, and was one of the Scottish commissioners for settling the preliminary articles. Being secretary of state for Scotland during the last Scottish Parliament, he supported the treaty both with eloquence and address. Mar does not appear amongst those who received any portion of the equivalents; but as he lost his secretaryship by the Union, he was created keeper of the signet, with a pension, and was admitted into the English Privy Council. Upon the celebrated change of the administration in 1710, the Earl of Mar, then one of the fifteen peers who represented the nobility of Scotland, passed over to the new ministers, and was created one of the British secretaries of state. In this capacity

he was much employed in the affairs of Scotland, and in managing such matters as they had to do in the Highlands. His large estate upon the river Dee in Aberdeenshire, called the forest of Braemar, placed him at the head of a considerable Highland following of his own, which rendered it more easy for him, as dispenser of the bounties of government, to establish an interest among the chiefs, which ultimately had fatal consequences to them and to himself.

Such were the three principal Scottish nobles on whom the affairs of Scotland, at that uncertain period, very much depended. We are next to give some account of the manner in which the forty-five members, whom the Union had settled to be the proportion indulged to Scotland as her share of the legislature, were received in the English senate.

And here it must be noticed, that although individually the Scottish members were cordially received in London, and in society saw or felt no prejudice whatever

existing against them on account of their birth-place, and though there was no dislike exhibited against them individually, yet they were soon made sensible that their presence in the senate was as unacceptable to the English members, as the arrival of a body of strange rams in a pasture, where a flock of the same animals have been feeding for some time. The contentions between those who are in possession and the new comers, are in that case carried to a great height, and occasion much noise and many encounters; and for a long time the smaller band of strangers are observed to herd together, and to avoid intermingling with the original possessors, nor, if they attempt to do so, are they cordially received.

This same species of discord was visible between the great body of the English House of Commons and the handful of Scottish members introduced among them by the Union. It was so much the case, that the national prejudices of English and Scots pitted against each other, even interfered with

and overcame the political differences, by which the conduct and votes of the representatives of both nations would have been otherwise regulated. The Scottish members, for example, found themselves neglected, thwarted, and overborne by numbers, on many occasions where they conceived the immediate interests of their country were concerned, and where they thought that, in courtesy and common fairness, they, as the peculiar representatives of Scotland, ought to have been allowed something more than their small proportion of five-and-forty votes. The opinion even of a single member of parliament is listened to with some deference, when the matter discussed intimately concerns the shire or burgh which he represents, because he obtains credit for having made himself more master of the case than others who are less interested. And it was surely natural for the Scots to claim similar deference when speaking in behalf of a whole kingdom, whose wants and whose advantages could be known to none in the

house so thoroughly as to themselves. But they were far from experiencing the courtesy which they expected. It was expressly refused to them in the following instances.

1. The alteration of the law of high treason, already mentioned, was a subject of discord. The Scottish members were sufficiently desirous that their law, in this particular, should be modelled anew, by selecting the best parts of the system of both countries, and this would certainly have been the most equitable course. But the English law, in this particular, was imposed on Scotland with little exception or modification.

2. Another struggle for national advantage occurred respecting the drawbacks of duty allowed upon fish cured in Scotland. This advantage the Scottish merchants had a right to by the letter of the treaty, which expressly declared, that there should be a free communication of trade and commercial privileges between the kingdoms, so that the

Scottish as well as the English merchant was entitled to these drawbacks. To this the English answered, that the salt with which the Scottish fish were cured before the Union, had not paid the high English duty, and that to grant drawbacks upon goods so prepared, would be to return to the Scottish trader sums which he had never advanced. There was some reason, no doubt, in the objection; but in so great a transaction as the Union of two kingdoms, there must have occurred circumstances which, for one cause or another, must necessarily create an advantage to individuals of the one country or the other; and it seemed ungracious in the wealthy kingdom of England to grudge to the poorer people of Scotland so trifling a benefit attendant on so important a measure. The English Parliament did accordingly at last agree to this drawback; but the action lost its grace from the obvious unwillingness with which the advantage was conceded, and, as frequently happens, the giving up the point in question

did not consign to oblivion the acrimony of the discussions which it had occasioned. The debates on the several questions we have just noticed, all occurred in the sessions of the British Parliament during which the Union was completed.

In 1710, Queen Anne, becoming weary of her Whig ministers, as I will tell you more at length, took an opportunity to dismiss them, upon finding the voice of the country unfavourable to them, in the foolish affair of Sacheverel; and, as is the usual course in such cases, she dissolved the Parliament in which the administration had a majority, and assembled a new one.

The Tory ministry, like all ministers entering on office, endeavoured, by civility or promises, to gain the support of every description of men; and the Scottish members, who, after all, made up forty-five votes, were not altogether neglected. The new ministry boasted to the representatives of North Britain, that the present Parliament consisted chiefly of independent country

gentlemen, who would do impartial justice to all parts of Britain, and that Scotland should have nothing to complain of.

An opportunity speedily occurred of proving the sincerity of these promises. It must first be remarked, that the opposition made to the measures of Government had hitherto been almost entirely on the side of the Scottish members in the Lower House, who had pursued the policy of threatening to leave the administration in a minority in trying questions, by passing in a body to the opposition; a line of political tactics which will always give to a small but united band a certain weight in the House of Commons, where nicely balanced questions frequently occur, and forty-five votes may turn the scale one way or other. By this policy the Scottish commoners had sometimes produced a favourable issue on points in which their country was concerned. But such was not the practice of the representatives of the peerage, who, having some of them high rank, with but small fortunes

to sustain it, were for a time tolerably tractable, voting regularly along with the ministers in power. A question, however, arose of which we shall speak presently, concerning the privileges of their own order, which disturbed this interested and self-seeking course of policy.

Another reason for the lukewarmness of the Scottish Peers was, that the commoners of Scotland had been active on two occasions, in which they had interposed barriers against the exorbitant power of the aristocracy. The first was, an enactment passed rendering the eldest sons of Scottish peers incapable of sitting as members in the House of Commons. This incapacity was imposed, because, being of the same rank or status as the nobility, it was considered that the eldest sons of the nobles were, like their fathers, virtually represented by the sixteen Scottish Peers sent to the Upper House. The second regulation displeasing to the Peerage was that which rendered illegal the votes of such electors in Scotland, as,

not being possessed in their own right of the qualification necessary by law, had obtained a temporary conveyance of a freehold qualification of the necessary amount, which they bound themselves to restore to the person, by whom it was lent, for the purpose of voting at elections. The effect of this law was to destroy an indirect mode by which the peers had attempted to interfere in the election of the commoners. For before this provision, although a peer could not himself appear or vote for the election of a commoner, he might, by cutting his crown-holding into qualifications of the necessary amount, and distributing them among confidential persons, place so many fictitious voters on the roll, as might outvote those real proprietors, in whom the constitution vested the right of election. These two laws show that the Scottish members of the House of Commons were alive to the value of their constitutional rights, and the danger to their freedom from the interference of the peers in elec-

tions to the Lower House. These differences occasioned some coldness between the Sixteen Peers and the Scottish Members of Parliament, and prevented for a time a co-operation between them in cases where the interests of their common country seemed to require it. The following incident, to which I have already alluded, put an end to this coldness.

Queen Anne, in the course of her administration, had begun to withdraw her favours from the Whigs and confer them upon the Tories, even upon such as were supposed to have embraced the Jacobite interest. Among these, the Duke of Hamilton being conspicuous, he was, in addition to his other titles, created a peer of Great Britain, by the title of the Duke of Brandon. A similar exertion of the Queen's prerogative had already been made in the case of the Duke of Queensberry, who had been called to the British peerage, by the title of Duke of Dover. But notwithstanding this precedent, there was violent opposition to

the Duke of Hamilton taking his seat as a British peer. It was said no Scottish noble could sit in that House by any other title than as one of the sixteen Peers, to which number the peerage of that kingdom had been restricted as an adequate representation; and the opposition pretended to see great danger in opening any other way to their getting into the Upper House, even through the grant of the Sovereign, than the election of their own number. The fallacy of this reasoning is obvious, seeing it was allowed on all hands that the Queen could have made any Scotsman a British peer, providing he was not a peer in his own country. Thus the Scottish peerage were likely to be placed in a very awkward situation. They were peers already, as far as the question of all personal privileges went; but because they were such, it was argued that they were not capable of holding the additional privilege of sitting as legislators, which it was admitted the Queen could confer, with all other immunities, upon any Scottish com-

moner. Their case was that of the bat in the fable, who was rejected both by birds and mice, because she had some alliance with each of them. A Scottish peer, not being one of the elected fifteen, could not be a legislator in his own country, for the Scottish Parliament was abolished; and according to this doctrine, he had become, for no reason that can be conjectured, incapable of being called to the British House of Peers, to which the King could summon by his will any one save himself and his co-peers of Scotland. Nevertheless, the House of Peers, after a long debate, and by a narrow majority, decided, that no Scottish peer being created a peer of Great Britain since the Union, had a right to sit in that house. The Scottish peers, highly offended at the decision, drew up a remonstrance to the Queen, in which they complained of it as an infringement of the Union, and a mark of disgrace put upon the whole peerage of Scotland. The resolution of the

House of Peers was afterwards altered, and many of the Scottish nobility have, at various periods, been created peers of Great Britain.

But during the time while it remained binding, it produced a considerable change in the temper of the Scottish peers, and brought them to form a closer union among themselves and with the commons. Influenced by these feelings of resentment, and by the energy of the Duke of Argyle, they bestirred themselves to resist the extension of the malt tax to Scotland.

This tax which the Scots dreaded peculiarly, because it imposed upon their malt a duty equal to that levied in England, had been specially canvassed in the course of the treaty of Union; and it had finally been agreed that Scotland should not pay the tax during the continuance of the war. In point of strict right, the Scots had little to say, excepting that the peace with Spain was not yet proclaimed, which might have enabled them to claim a delay, but not an

exemption from the imposition. In point of equity, there was more to be pleaded. The barley grown in Scotland, being raised on an inferior soil, is not, at least was not at the time of the Union, worth more than one-third or one-half of the intrinsic value of that raised on the fertile soil, and under the fine climate, of England. If, therefore, the same duty was to be laid on the same quantity as in South Britain, the poorer country would be taxed in a double or triple proportion to that which was better able to bear the burden. Two Scottish peers, the Duke of Argyle, and the Earl of Mar, and two commoners, Cockburn, younger of Ormiston, and Lockhart of Carnwath, a Whig and Tory of each house, were deputed to wait upon Queen Anne, and represent the dangerous discontents which the imposition of a tax so unequal as that upon malt was likely to occasion in so poor a country as Scotland. This was stated to her Majesty personally, who returned the answer ministers had put into her mouth—"She was

sorry," she said, "that her people of Scotland thought they had reason to complain; but she thought they drove their resentment too far, and wished they would not repeat it."

The war, however, being ended by the peace of Utrecht, the English proposed to extend the obnoxious tax to Scotland. The debates in both Houses became very animated. The English testified some contempt for the poverty of Scotland, while the Scottish members, on the other hand, retorted fiercely, that the English took advantage of their great majority of numbers and privilege of place, to say more than, man to man, they would dare to answer. The Scottish peers in the Upper House maintained the cause of the country with equal vehemence. But the issue was, the duty was imposed, with a secret assurance on the part of ministers that it was not to be exacted. This last indulgence was what Scotland, strictly speaking, was not entitled to look for, since her own Estates had previously conceded the

question; and they had no right to expect from the British Parliament a boon, which their own, while making the bargain, had neglected to stipulate. But they felt they had been treated with haughtiness and want of courtesy in the course of the debate; and so great was their resentment, that in a general meeting of the forty-five Scottish members, they came to the resolution to move for the dissolution of the Union, as an experiment which had failed in the good effects it was expected to produce—which resolution was also adopted by the Scottish peers. It was supported by Scottish members of all parties, Whigs and Revolutionists, as well as Tories and Jacobites; and as all the English Whigs who, being in office, were so eager for the establishment of the Union, were now, when in opposition, as eager for its dissolution, its defence rested with the English Tories, by whom it had been originally opposed at every stage of its progress. This important treaty, which involved so much of national happiness, stood in danger of sharing the

fate of a young fruit-tree, cut down by an ignorant gardener, because it bears no fruit in the season after it has been planted.

The motion for the dissolution of the Union was brought forward in the House of Lords by Lord Findlater and Seafield—that very Lord Findlater and Seafield, who, being Chancellor of the Scottish Parliament by which the treaty was adjusted, signed the last adjournment of his country's representatives with the jeering observation, that "there was an end of an old song." His lordship, with a considerable degree of embarrassment, arising from the recollection of his own inconsistency, had the assurance to move that this "old song" should be resumed, and the Union abolished, on account of the four following alleged grievances:—1. The abolition of the Privy Council of Scotland; 2. The introduction of the English law of High Treason; 3. The incapacity of Scottish peers to be called to Parliament as peers of Britain; 4. The imposition of the malt tax. None of these rea-

sons of complaint vindicated Lord Findlater's proposition. 1. The abolition of the Privy Council was a boon rather than a grievance to Scotland, which that oppressive body had ruled with a rod of iron. 2. The English treason law was probably more severe in some particulars than that of Scotland, but it had the undeniable advantage of superior certainty and precision. 3. The incapacity of the Scottish peers was indeed an encroachment upon their privileges, but it was capable of being reversed, and has been reversed accordingly, without the necessity of destroying the Union. 4. If the malt tax was a grievance, it was one which the Scottish commissioners, and his lordship amongst others, had under their view during the progress of the treaty, and to which they had formally subjected their country, and were not, therefore, entitled to complain, as if something new or unexpected had happened, when the English availed themselves of a stipulation to which they themselves had consented.

The Duke of Argyle supported the motion for abrogating the Union, with far more energy than had been displayed by Lord Findlater. He declared, that when he advocated the treaty of Union, it was for the sole reason that he saw no other mode of securing the Protestant succession to the throne; he had changed his mind on that subject, and thought other remedies as capable of securing that great point. On the insults and injuries which had been unsparingly flung upon Scotland and Scotsmen, he spoke like a high-minded and high-spirited man; and to those who had hinted reproaches against him, as having deserted his party, he replied, that he scorned the imputations they threw out, as much as he despised their understanding.

This bold orator came nearest to speaking out the real cause of the universal discontent of the Scottish members, which was less the pressure of any actual grievance, than the sense of the habitually insulting and injurious manner in which they were treated

by the English members, as if the representatives of some inferior and subjugated province. But personal resentment, or offended national pride, however powerful, ought not to have been admitted as reasons for altering a national enactment, which had been deliberately and seriously entered into; for the welfare of posterity is not to be sacrificed to the vindictive feelings of the present generation.

The debate on Lord Findlater's motion was very animated, and it was wonderful to see the energy with which the Tories defended that Union which they had opposed in every stage, while the Whigs, equally inconsistent, attempted to pull down the fabric which their own hands had been so active in rearing. The former, indeed, could plead, that, though they had not desired to have a treaty of Union, yet, such having been once made, and the ancient constitutions of both countries altered and accommodated to it, there was no inconsistency

in their being more willing it should remain, than that the principles of the constitution should be rendered the subject of such frequent changes and tamperings. The inconsistency of the Whigs hardly admits of equal apology.

The division upon the question was so close, that it was rejected by a majority of *four* only; so nearly had that important treaty received its death-blow within six years after it was entered into.

Shortly after this hairbreadth escape, for such we may surely term it, another circumstance occurred, tending strongly to show with what sensitive jealousy the Scots of that day regarded any reflections on their country. The two great parties of Whig and Tory, the former forming the Opposition, and the latter the Ministerial party, besides their regular war in the House of Commons, had maintained a skirmishing warfare of pamphlets and lampoons, many of them written by persons of distinguished talent.

Of these, the celebrated Sir Richard Steele wrote a tract, called the *Crisis*, which was widely circulated by the Whigs. The still more able Jonathan Swift, the intimate friend and advocate of the existing ministers, published (but anonymously) a reply, entitled "The Public Spirit of the Whigs set forth, in their encouragement of the author of the Crisis." It was a sarcastic, political lampoon against the Whigs and their champion, interspersed with bitter reflections upon the Duke of Argyle and his country.

In this composition, the author gives rein to his prejudices against the Scottish nation. He grudged that Scotland should have been admitted into commercial privileges, by means of this Union, from which Ireland was excluded. The natural mode of redressing this inequality, was certainly to put all the three nations on a similar footing. But as nothing of this kind seemed at that time practicable, Swift accused

the Scots of affectation, in pretending to quarrel with the terms of a treaty which was so much in their favour, and supposes, that while carrying on a debate, under pretence of abrogating the Union, they were all the while in agony lest they should prove successful. Acute observer of men and motives as he was, Swift was in this instance mistaken. Less sharp-sighted than this celebrated author, and blinded by their own exasperated pride, the Scots were desirous of wreaking their revenge at the expense of a treaty which contained so many latent advantages, in the same manner as an intoxicated man vents his rage at the expense of valuable furniture or important papers. In the pamphlet which gave so much offence, Swift denounced the Union "as a project for which there could not possibly be assigned the least reason;" and he defied "any mortal to name one single advantage that England could ever expect from such a Union." The necessity, he justly, but offensively, imputes to the Scots

refusing to settle the Crown on the line of Hanover, when, according to the satirist, it was thought "highly dangerous to leave that part of the island, inhabited by a poor, fierce, northern people, at liberty to put themselves under a different king." He censures Godolphin highly for suffering the Act of Security to pass, by which the Scots assumed the privilege of universally arming themselves. "The Union, he allows, became necessary, because it might have cost England a year or two of war to reduce the Scots." In this admission, Swift pronounces the highest panegyric on the treaty, since the one or two years of hostilities might have only been the recommencement of that war, which had blazed inextinguishably for more than a thousand years.

The Duke of Argyle had been a friend, even a patron, of the satirist, but that was when he acted with Oxford and Bolingbroke, in the earlier part of the administration, at which time he gratified at once their

party spirit and his own animosity, by attacking the Duke of Marlborough, and declining to join in the vote of thanks to that great general. While Argyle was in Spain, Swift had addressed a letter to him in that delicate style of flattery, of which he was as great a master as of every power of satirical sarcasm. But when the Duke returned to Britain, embittered against ministers by their breach of promise to supply him with money and reinforcements, and declared himself the unrelenting opponent of them, their party, and their measures, Swift, their intimate confident and partisan, espoused their new quarrel, and exchanged the panegyrics of which the Duke had been the object, for poignant satire. Of the number of the Scottish nobility, he talks as one of the great evils of the Union, and asks if it were ever reckoned as an advantage to a man who was about to marry a woman much his inferior, and without a groat to her fortune, that she brought in her train a numerous retinue of

retainers and dependents. He is supposed to have aimed particularly at the Duke of Argyle, and his brother, Lord Islay, in these words:—"I could point out some with great titles, who affected to appear very vigorous for dissolving the Union, although their whole revenue, before that period, would have ill maintained a Welsh justice of peace, and have since gathered more money than ever any Scotsman who had not travelled could form an idea of."

These shafts of satire against a body of men so sensitive and vindictive as the Scots had lately shown themselves, and directed also against a person of the Duke of Argyle's talents and consequence, were not likely, as the ministers well knew, to be passed over lightly, either by those who felt aggrieved, or the numerous opposition party, who were sure to avail themselves of such an opportunity for pressing home a charge against Swift, whom all men believed to be the author of the tract, and under whose shafts they had suffered both as a party and as in-

dividuals. The ministry therefore formed a plan to elude an attack, which might have been attended with evil consequences to so valued and valuable a partisan.

They were in the right to have premeditated a scheme of defence, or rather of evasion, for the accusation was taken up in the House of Lords by the Earl of Wharton, a nobleman of high talent, and not less eager in the task, that the satirist had published a character of the Earl himself, drawn when Lord Lieutenant of Ireland, in which he was painted in the most detestable colours. Wharton made a motion, concluding that the honour of the House was concerned in discovering the villainous author of so false and scandalous a libel, that justice might be done to the Scottish nation. The Lord Treasurer Oxford disclaimed all knowledge of the author, and readily concurred in an order for taking into custody the publisher and printer of the pamphlet complained of. On the next day, the Earl of Mar informed the House, that he, as Secretary of

State, had raised a prosecution in his Majesty's name against John Barber. This course was intended, and had the effect, to screen Swift; for, when the printer was himself made the object of a prosecution, he could not be used as an evidence against the author, whom, and not the printer or publisher, it was the purpose of the Whigs to prosecute. Enraged at being deprived of their prey, the House of Peers addressed the Queen, stating the atrocity of the libel, and beseeching her Majesty to issue a proclamation offering a reward for the discovery of the author. The Duke of Argyle and the Scottish Lords, who would have perhaps acted with a truer sense of dignity, had they passed over such calumnies with contempt, pressed their address on the Queen by personal remonstrance, and a reward of three hundred pounds was offered for the discovery of the writer.

Every one knew Swift to be the person aimed at as the author of the offensive tract.

But he remained, nevertheless, safe from legal detection.

Thus I have given you an account of some, though not of the whole debates, which the Union was, in its operation, the means of exciting in the first British Parliament. The narrative affords a melancholy proof of the errors into which the wisest and best statesmen are hurried, when, instead of considering important public measures calmly and dispassionately, they regard them in the erroneous light in which they are presented by personal feeling and party prejudices. Men do not in the latter case ask, whether the public will be benefited or injured by the enactment under consideration, but whether their own party will reap most advantage by defending or opposing it.

## CHAP. IV.

*Influence of the Duchess of Marlborough over Queen Anne—Trial of Doctor Sacheverel—Unpopularity of the Whigs—their Dismissal from the Ministry—Accession of Harley and the Tory Party to Power—Peace of Utrecht—Plan of the Queen for bringing in her Brother, the Chevalier de St George, as Successor to the Throne—Intrigues of Viscount Bolingbroke for the same end—Duel between the Duke of Hamilton and Lord Mohun—Mission of Bolingbroke to Paris.*

In my last chapter I detailed to you the consequences of the Union, and told you how the unfair, unkind, and disparaging reception which the English afforded to the Scottish members in the Houses of Lords and Commons, although treating them in their private capacities with every species of kindness, had very nearly occasioned the breach

of the treaty. I must now retrace the same ground, to give you a more distinct idea how Britain stood in general politics, independent of the frequent and fretful bickerings between England and Scotland in the British Parliament.

King William, as I have already told you, died in 1701, little lamented by his subjects, for though a man of great ability, he was too cold and phlegmatic to inspire affection, and besides he was a foreigner. In Scotland his memory was little reverenced by any party. The Highlanders remembered Glencoe, the Lowlanders could not forget Darien; the Episcopalians resented the destruction of their hierarchy, the Presbyterians discovered in his measures something of Erastianism, that is, a purpose of subjecting the Church to the State.

Queen Anne, therefore, succeeded to her brother-in-law, to the general satisfaction of her subjects. Her qualities, too, were such as gained for her attachment and esteem. She was a good wife, a most affectionate mother,

a kind mistress, and, to add to her domestic virtues, a most confiding and faithful friend.

The object of her attachment in this latter capacity was Lady Churchill, who had been about her person from a very early period. This woman was so high-spirited, haughty, and assuming, that even her husband, (afterwards the celebrated Duke of Marlborough,) the conqueror in so many battles, frequently came off less than victorious in any domestic dispute with her. To this lady, Anne, for several years before her succession to the crown, had been accustomed in a great measure to yield up her own opinions. She left the house of her father James II. and mingled in the Revolution at the instance of Lady Churchill. At her accession Queen Anne was rather partial to the Tories, both from regarding their principles as more favourable to monarchy, and because, though the love of power, superior to most other feelings, might induce her to take possession of the throne, which by hereditary descent ought to have been that of

her father or brother, yet she still felt the ties of family affection, and was attached to that class of politicians who regarded the exiled family with compassion, at least, if not with favour. All these, Queen Anne's own natural wishes and predilections, were overborne by her deference to her favourite's desires and interest. Their intimacy had assumed so close and confidential a character, that she insisted that her friend should lay aside all the distinctions of royalty in addressing her, and they corresponded together in terms of the utmost equality, the sovereign assuming the name of Morley, the servant that of Freeman, which Lady Churchill, now Countess of Marlborough, chose as expressive of the frankness of her own temper. Sunderland and Godolphin were ministers of unquestionable talent, who carried on with perseverance and skill the scheme formed by King William for defending the liberties of Europe against the encroachments of France. But Queen Anne reposed her confidence in them chiefly be-

cause they were closely connected with Mrs Freeman and her husband. Now this species of arrangement, my dear boy, was just such a childish whim as when you and your little brother get into a basket, and play at sailing down to A——, to see grandpapa. A sovereign cannot enjoy the sort of friendship which subsists between equals, for he cannot have equals with whom to form such a union; and every attempt to play at make-believe intimacy commonly ends in the royal person's being secretly guided and influenced by the flattery and assentation of an artful and smooth-tongued parasite, or tyrannized over by the ascendance of a haughtier and higher mind than his own. The husband of Queen Anne, Prince George of Denmark, might have broken off this extreme familiarity between his wife and her haughty favourite; but he was a quiet, good, humane man, meddling with nothing, and apparently considering himself as unfit for public affairs, which agreed with the opinion entertained of him by others.

The death of Queen Anne's son and heir, the Duke of Gloucester, the sole survivor of a numerous family, by depriving her of the last object of domestic affection, seemed to render the Queen's extreme attachment to her friend more direct, and Lady Marlborough's influence became universal. The war which was continued against the French, had the most brilliant success, and the general was loaded with honours; but the Queen favoured Marlborough less because he was the most accomplished and successful general at that time in the world, than as the husband of her affectionate Mrs Freeman. In short, the affairs of England, at all times so influential in Europe, turned altogether upon the private friendship between Mrs Freeman and Mrs Morley.

At the moment when it seemed most completely secure, this intimacy was overthrown by the influence of a petty intrigue in the Queen's family. The Duchess of Marlborough, otherwise Mrs Freeman, had used the power with which her mistress's par-

tiality had invested her, far too roughly. She was avaricious and imperious in her demands, careless, and even insolent in her conduct towards the Queen herself. For some time this was endured as an exercise of that frank privilege of equality with which her Majesty's friendship had invested her. For a much longer space it may be supposed, the Queen tolerated her caprice and insolence, partly because she was afraid of her violent temper, partly because she was ashamed to break off the romantic engagement which she had herself formed. She was not, however, the less impatient of the Duchess of Marlborough's yoke, or less watchful of an opportunity to cast it off.

The Duchess had introduced among the Queen's attendants, in the capacity of what was called a dresser, a young lady of good birth, named Abigail Hill, a kinswoman of her own. She was the reverse of the Duchess in her temper, being good-humoured, lively, and, from disposition and policy, willing to please her mistress in every man-

ner possible. She attracted by degrees first the Queen's favour, and at length her confidence; so that Anne sought in the solicitous attentions and counsels of her new friend, consolation from the rudeness with which the Duchess treated her both in private and public life. The progress of this intimacy was closely watched by Harley, a statesman of talents, and hitherto professing the principles of the Whigs. He had been repeatedly Speaker of the House of Commons, and was Secretary of State in the existing Whig administration. But he was ambitious of higher rank in the cabinet, being conscious of superior talents, and he caballed against the Duchess of Marlborough, in consequence of her having repulsed his civilities towards her with her usual insolence of manner. The partner of Harley's counsels was Mr Henry St John, (afterwards Lord Bolingbroke,) a young man of the most distinguished abilities, and who afterwards made a great figure both in politics and in literature.

Harley lost no time in making advances to intimacy with the new favourite; and as he claimed some kindred with Miss Hill's family, this was easily accomplished. This lady's interest with the Queen was now so great, that she was able to procure her cousin private audiences with the Queen, who, accustomed to the harshness of the Duchess of Marlborough, whose tone of authority had been adopted by the Whig ministers of the higher class, was soothed by the more respectful deportment of these new counsellors. Harley was more submissive and deferential in his manners, and conducted himself with an attention to the Queen's wishes and opinions, to which she had been hitherto little accustomed. It was undoubtedly his purpose to use the influence thus acquired, to the destruction of Godolphin's authority, and to accomplish his own rise to the office of first Minister. But his attempt did not succeed in the first instance. His secret intrigues and private interviews with the Sovereign were prematurely discovered,

and Harley and his friends were compelled to resign their offices; so that the Whig administration seemed more deeply rooted than ever.

About the same time, Miss Hill was secretly married to Mr Masham; a match which gave great offence to the Duchess of Marlborough, who was beginning to feel that her relation had superseded her in her mistress's affections. As this high-tempered lady found the Queen's confidence was transferred from her, she endeavoured to maintain her ascendency by threats and intimidation, and was for a time successful in ruling the mind of her late friend by means of fear, as she did formerly by affection. But a false step of the Whig administration enabled Queen Anne at last to shake off this intolerable bondage.

A silly and hot-headed clergyman, named Sacheverel, had preached and printed a political sermon, in which he maintained high Tory principles, and railed at Godolphin, the Lord High Treasurer, and head of Queen

Anne's administration, whom he termed Volpone, after an odious character so named in one of Ben Jonson's Plays. The great majority of the landed gentlemen of England were then addicted to Tory principles, and those of the High Church. So bold and daring a sermon, though it had no merit but its audacity to recommend it, procured immense popularity amongst them. The ministers were incensed beyond becoming moderation. The House of Commons impeached the preacher before the tribunal of the House of Lords, and his trial came before the Peers on 27th February, 1710. The utmost degree of publicity was given to it, by the efforts of the Whigs to obtain Doctor Sacheverel's conviction and a severe sentence, and by the corresponding exertions of the Tories to screen him from punishment. The multitude took up the cry of High Church and Sacheverel, with which they beset the different members of both Houses as they went down to Parliament. The trial excited public attention, in a de-

gree hitherto almost unknown. The Queen herself attended almost every day, and her sedan chair was surrounded by crowds, shouting, "God bless the Queen and Doctor Sacheverel! we hope your Majesty is for High Church and Sacheverel." The mob arose, and exhibited their furious zeal for the church by destroying the chapels and meeting-houses of dissenters, and committing similar acts of violence.

The consequence was, that the Doctor was found guilty indeed by the House of Peers, but escaped with being suspended from preaching for three years; a sentence so slight, that it was regarded by the accused and his friends as an acquittal, and they triumphed accordingly.

As these manifestations of the public sentiment were not confined to the capital, but extended over all England, they made evident the unpopularity of the Whig government, and encouraged the Queen to put in execution the plan she had long proposed to herself, of changing her ministry,

and endeavouring to negotiate a peace, and terminate the war, which seemed to be protracted without end. Anne, by this change of government and system, desired also to secure the church, which her old prejudices taught her to believe was in danger —and, above all, to get rid of the tyranny of her former friend, Mrs Freeman. A new administration, therefore, was formed under Harley and St John, who, being supported by the Tory interest, were chiefly, if not exclusively, governed by Tory principles. At the same time, the Duchess of Marlborough was deprived of all her offices about the Queen's person, and disgraced, as it is termed, at court, that is, dismissed from favour and employment. Her husband's services could not be dispensed with so easily; for while the British army were employed, no general could supply the place of Marlborough, who had so often led them to victory. But the Tory ministers endeavoured to lower him in the eyes of the public, by an investigation into certain indirect

emoluments taken in his character as general-in-chief, and to get rid of the indispensable necessity of his military services, by entering into negotiations for peace.

The French government saw and availed themselves of the situation in which that of Britain was placed. They perceived that peace was absolutely necessary to Oxford and Bolingbroke's existence as ministers, and even more so than it was to France as a nation, though her frontiers had been invaded, her armies repeatedly defeated, and even her capital to a certain degree exposed to insult. The consequence was, that the French rose in their terms, and the peace of Utrecht, after much negotiation, was at length concluded, on conditions which, as they respected the allies, and the British nation in particular, were very much disproportioned to the brilliant successes of the war.

That article of the treaty, which was supposed by all friends of Revolution principles to be most essential to the inde-

pendence and internal peace of Great Britain, seemed indeed to have been adjusted with some care. The King of France acknowledged, with all formality, the right of Queen Anne to the throne, guaranteed the Act of Succession settling it upon the House of Hanover, and agreed to expel from his territories the unfortunate son of James II. This was done accordingly. Yet notwithstanding that the Chevalier de St George was compelled to remove from the territories of his father's ally, who, on James's death, had formally proclaimed him King of England, the unhappy Prince had perhaps at the moment of his expulsion more solid hopes of being restored to his father's throne, than any which the favour of Louis could have afforded him. This will appear from the following considerations.

Queen Anne, as we have already stated, was attached to the High Church establishment and clergy; and the principles with which these were embued, if not universally Jacobitical, were at least strongly tinc-

tured with a respect for hereditary right. These doctrines could not be supposed to be very unpleasing to the Queen herself, as a woman or as a sovereign, and there were circumstances in her life which made her more ready to admit them. We have already said, that the part which Anne had taken at the Revolution, by withdrawing from her father's house, had been determined by the influence of Lady Churchill, who was now, as Duchess of Marlborough, the object of the Queen's hatred, as much as ever she had been that of her affection in the character of Mrs Freeman, and her opinions and the steps which they had led to, were not probably recollected with much complacency. The desertion of a father, also, however coloured over with political argument, is likely to become towards the close of life a subject of anxious reflection. There is little doubt that the Queen entertained remorse on account of her filial disobedience; more especially, when the early death of her children, and finally that of a hopeful young

prince, the Duke of Gloucester, deprived her of all chance of leaving the kingdom to an heir of her own. These deprivations seemed an appropriate punishment to the disobedient daughter, who had been permitted to assume for a time her father's crown, but not to transmit it to her heirs. As the Queen's health became broken and infirm, it was natural that these compunctious thoughts should become still more engrossing, and that she should feel no pleasure in contemplating the prospect which called the Prince of Hanover, a distant relation, to reign over England at her decease; or that she should regard with aversion, almost approaching to horror, a proposal of the Whig party, to invite the Electoral Prince to visit Britain, the crown of which was to devolve upon him after the decease of its present possessor. On the other hand, the condition of the Chevalier de St George, the Queen's brother, the only surviving male of her family, a person whose restoration to the crown of his fathers might be the

work of her own hand, was likely to affect the Queen with compassionate interest, and seemed to afford her at the same time an opportunity of redressing such wrongs as she might conceive were done to her father, by making a large though a late amends to his son.

Actuated by motives so natural, there is little doubt that Queen Anne, so soon as she had freed herself from the control of the Duchess of Marlborough, began to turn her mind towards fixing the succession of the crown on her brother, the Chevalier de St George, after her own death, to the prejudice of the act which settled it on the Electoral Prince of Hanover. And she might be the more encouraged to nourish some hopes of success, since a great portion of her subjects of the Three Kingdoms were Jacobites upon principle, and others had but a short step to make from the extremity of Tory sentiments to those which were directly favourable to the House of Stewart. Ireland, the last portion of the Bri-

tish dominions which adhered to King James the Second, could not be supposed indifferent to the restoration of his son. In England, a very great proportion of the High Church clergy, the Universities, and the Tory interest, which prevailed among the country gentlemen, entertained the same bias, and were at little pains to conceal it. In Scotland men were still bolder in avowing their opinions, of which there occurred the following instance.

The Faculty of Advocates in Scotland, that is to say, the incorporated society of lawyers entitled to practise at the bar, are a body even of more weight and consequence than is attached to them in most countries from the nature of their profession. In the beginning of the 18th century, especially, the Faculty comprehended almost all the sons of good family who did not embrace the army as their choice; for the sword or gown, according to the ideas of that time, were the only occupations which could be adopted by a gentleman. The Advocates

are possessed of a noble library, and a valuable collection of medals. To this learned body, Elizabeth, Duchess of Gordon, (by birth, a daughter of the noble house of Howard, and a keen Jacobite,) sent the present of a medal for their cabinet. It bore on the one side the head of the Chevalier de St George, with the motto, *Cujus est?* (Whom does it represent?) and on the reverse the British Isles, with the legend, *Reddite.* (Restore them.) The Dean of Faculty having presented this very intelligible emblem to his brethren, a debate arose, whether or not it should be received into their collection, which was carried on in very warm language, and terminated in a vote, which, by a majority of sixty-three to twelve, resolved on the acceptance of the medal. Two advocates were deputed to express, in the name of the learned body, their thanks to the Duchess; and they failed not to do it in a manner expressing pointedly their full comprehension of the import of her Grace's compliment. They concluded, by

stating their hope, that her Grace would soon have a farther opportunity to oblige the Faculty, by presenting them with a second medal on the subject of a restoration. But when the proceeding became public, the Advocates seem to have been alarmed for the consequences, and, at a general meeting of the Faculty (27th July, 1711,) the medal was formally refused, and placed in the hands of the Lord Advocate, to be restored to the Duchess of Gordon. The retractation, however, could not efface the evidence, that this learned and important public body, the commentators on the laws of Scotland, from whom the guardians of her jurisprudence are selected, had shown such boldness as to give a public mark of adherence to the Chevalier de St George. It was also remarked, that the Jacobite interest predominated in many of the Scottish elections.

While the Queen saw a large party among her subjects in each kingdom well disposed to her brother's succession, one at least of her ministers was found audacious enough

to contemplate the same measure, though, in doing so, he might be construed into impeaching his mistress's own right to the sovereign authority. This was Henry St John, created Lord Viscount Bolingbroke. He was a person of lively genius and brilliant parts—a scholar, an orator, and a philosopher. There was a reverse to the fair side of the picture. Bolingbroke was dissipated in private life, daringly sceptical in theological speculation, and when his quick perception showed him a chance of rising, he does not appear to have been extremely scrupulous concerning the path which he trode, so that it led to power. In the beginning of his career as a public man he attached himself to Harley; and when that statesman retired from the Whig administration, in 1708, St John shared his disgrace, and lost the situation of Secretary at War. On the triumph of the Tories, in 1710, when Harley was made Prime Minister, St John was named Se-

cretary of State. Prosperity, however, dissolved the friendship which had withstood the attacks of adversity; and it was soon observed that there was a difference of opinion as well as character between the Premier and his colleague.

Harley, afterwards created Earl of Oxford, was a man of a dark and reserved character—slow, timid, and doubtful, both in counsel and action, and apparently one of those statesmen who affect to govern by balancing the scales betwixt two contending factions, until at length they finally become the objects of suspicion and animosity to both. He had been bred a Whig, and although circumstances had disposed him to join, and even to head, the Tories, he was reluctantly induced to take any of the violent party measures which they expected at his hand, and seems, in return, never to have possessed their full confidence or unhesitating support. However far Oxford adopted the principles of Toryism, he stopped

short of their utmost extent, and was one of the political sect then called *Whimsicals*, who were supposed not to know their own minds, because they avowed principles of hereditary right, and at the same time desired the succession of the line of Hanover. In evidence of his belonging to this class of politicians, it was remarked that he sent his brother, Mr Harley, to the court of Hanover, and through him affected to maintain a close intercourse with the Elector, and expressed much zeal for the Protestant line of succession.

All this mystery and indecision was contrary to the rapid and fiery genius of St John, who felt that he was not admitted into the private and ultimate views of the colleague with whom he had suffered adversity. He was disgusted, too, that Harley should be advanced to the rank of an earl, while he himself was only created a viscount. His former friendship and respect for Oxford was gradually changed to

coldness, enmity, and hatred, and he began, with much art, and a temporary degree of success, to prepare a revolution in the state, which he designed should end in Oxford's disgrace, and his own elevation to the supreme authority. He entered with zeal into the ulterior designs of the most extravagant Tories, and, in order to recommend himself to the Queen, did not, it is believed, spare to mingle in intrigues for the benefit of her exiled brother.

It was remarked, that the Chevalier de St George, when obliged to leave France, found refuge in the territories of the Duke of Lorraine; and that petty German prince had the boldness to refuse an application of the British Government, for the removal of his guest from his dominions. It was believed that the Duke dared not have acted thus unless he had had some private assurance that the application was only made for an ostensible purpose, and that the Queen did not, in reality, desire to deprive her brother

of this place of refuge. Other circumstances led to the same conclusion, that Anne and her new ministers favoured the Jacobite interest.

It is more than probable that the Duke of Hamilton, whom we have so often mentioned, was to have been deeply engaged in some transactions with the French court of the most delicate nature, when, in 1713, he was named ambassador extraordinary to Paris; and there can be little doubt that they regarded the restoration of the line of Stewart. The unfortunate nobleman hinted this to his friend, Lockhart of Carnwath, when, parting with him for the last time, he turned back to embrace him again and again, as one who was impressed with the consciousness of some weighty trust, perhaps with a prescient sense of approaching calamity. Misfortune, indeed, was hovering over him, and of a strange and bloody character. Having a lawsuit with Lord Mohun, a nobleman of debauched and profligate manners, whose

greatest achievement was having, a few years before, stabbed a poor play-actor in a drunken frolic, the Duke of Hamilton held a meeting with his adversary, in the hope of adjusting their dispute. In this conference, the Duke, speaking of an agent in the case, said the person in question had neither truth nor honour, to which Lord Mohun replied he had as much of both qualities as his Grace. They parted on the exchange of these words, and one would have thought that the offence received lay on the Duke's side, and that it was he who was called upon to resent what had passed, in case he should think it worth his while. Lord Mohun, however, who gave the affront, contrary to the practice in such cases, also gave the challenge. They met at the Ring in Hyde Park, where they fought with swords, and in a few minutes Lord Mohun was killed on the spot; and the Duke of Hamilton, mortally wounded, did not survive him for a longer space. Mohun, who was an odious and contemptible

libertine, was regretted by no one; but it was far different with the Duke of Hamilton, who, notwithstanding a degree of irresolution which he displayed in politics, his understanding, perhaps, not approving the lengths to which his feelings might have carried him, had many amiable, and even noble qualities, which made him generally lamented. The Tories considered the death of the Duke of Hamilton as so peculiar, and the period when it happened as so critical, that they did not hesitate to avow a confident belief that Lord Mohun had been pushed to sending the challenge by some zealots of the Whig party; and even to add, that the Duke fell, not by the sword of his antagonist, but by that of General Macartney, Lord Mohun's second. The evidence of Colonel Hamilton, second to the Duke, went far to establish the last proposition; and General Macartney, seeing, perhaps, that the public prejudice was extreme against him, absconded,

and a reward was offered for his discovery. In the subsequent reign he was brought to trial, and acquitted, on evidence which leaves the case far from a clear one.

The death of the Duke of Hamilton, however, whether caused by political resentment or private hatred, did not interrupt the schemes formed for the restoration of the Stewart family. Lord Bolingbroke himself went on a mission to Paris, and it appears highly probable he then settled secret articles explanatory of those points of the Utrecht treaty, which had relation to the expulsion of the Pretender from the dominions of France, and the disclamation of his right of succession to the Crown of Britain. It is probable, also, that these remained concealed from the Premier Oxford, to whose views in favour of the Hanover succession they were distinctly opposed.

Such being the temper of the Government of England, divided, as it was, betwixt the dubious conduct of Lord Oxford,

and the more secret, but bolder and decided intrigues of Bolingbroke, the general measures which were adopted with respect to Scotland indicated a decided bias to the Jacobite interest, and those by whom it was supported.

## CHAP. V.

*Persecution of the Scottish Episcopalians by the Presbyterians—Act of Toleration—Abjuration Oath—Law of Patronage—Pensions given to the Highland Chiefs to preserve their attachment to the Jacobite interest—Preparations of the Whigs to secure the succession of the House of Hanover—Quarrel between Oxford and Bolingbroke—Death of Queen Anne.*

The Presbyterians of Scotland had been placed by the Revolution in exclusive possession of the Church government of that kingdom. But a considerable proportion of the country, particularly in the more northern shires, remained attached to the Episcopal establishment and its forms of worship. These, however, were objects of

enmity and fear to the Church of Scotland, whose representatives and adherents exerted themselves to suppress, by every means in their power, the exercise of the Episcopal mode of worship, forgetful of the complaints which they themselves had so justly made concerning the violation of the liberty of conscience during the reigns of Charles II. and James II. We must here remark, that the Episcopal Church of Scotland had, in its ancient and triumphant state, retained some very slight and formal differences, which distinguished their Book of Common Prayer from that which is used in the Church of England. But in their present distressed and desolate condition, many of them had become content to resign these points of distinction, and, by conforming exactly to the English ritual, endeavoured to obtain a freedom of worship as Episcopalians in Scotland, similar to the indulgence which was granted to those professing Presbyterian principles, and other Protestant dissenters in England. The Presbyterian

Church Courts, however, summoned such Episcopal preachers before them, and prohibited them from exercising their ministry, under the penalty of fine and imprisonment, which, in the case of one person, (the Rev. Mr Greenshields,) was inflicted with no sparing hand. Others were insulted and ill-used by the multitude, in any attempt which they made to exercise their form of worship. This was the more indefensible, as some of these reverend persons joined in prayer for the Revolution establishment; and whatever conjecture might be formed concerning the probability of their attachment to the exiled family, they had laid aside every peculiarity on which their present mode of worship could be objected to as inferring Jacobitism.

An Act of Toleration was therefore most justly and rightfully passed (February, 1712) by Parliament, for the toleration of all such Episcopal clergymen using the Church of England service, as should be disposed to take the Oath of Abjuration,

renouncing all adherence to the cause of James II. or his descendant, the existing Pretender. This toleration gave great offence to the Presbyterian clergy, since it was taking out of their hands a means, as they alleged, of enforcing uniformity of worship, which, they pretended, had been insured to them at the Revolution. Every allowance is justly to be made for jealousies and apprehensions, which severe persecution had taught the ministers of the Scottish Church to entertain; but impartial history shows us how dangerous a matter it is to intrust the judicatures of any church with the power of tyrannizing over the consciences of those who have adopted different forms of worship, and how wise, as well as just, it is to restrict their authority to the regulation of their own establishment.

The Presbyterian Church was still more offended by the introduction of a clause into this Act of Toleration, obliging the members of their own church, as well as dissenters from their mode of worship, to take the

Oath of Abjuration. This clause had been inserted into the Act, as it passed the House of Commons, on the motion of the Tories, who alleged that the Ministers of the Kirk of Scotland ought to give the same security for their fidelity to the Queen and Protestant succession, which was to be exacted from the Episcopalians. The Scottish Presbyterians complained bitterly of this application of the Oath of Abjuration to themselves. They contended that it was unnecessary, as no one could suspect the Church of Scotland of the least tendency towards Jacobitism, and that it was an usurpation of the State over the Church, to impose by statute law an oath on the ministers of the Church, whom, in religious matters, they considered as bound only by the Acts of their General Assembly. Notwithstanding their angry remonstrances, the Oath of Abjuration was imposed on them by the same act which decreed the tolerance of the Episcopal form of worship on a similar condition.

The greater number of the Presbyterian ministers did at length take the oath, but many continued to be recusants, and suffered nothing in consequence, as the government overlooked their non-compliance. There can be little doubt that this clause, which seems otherwise a useless tampering with the rooted opinions of the Presbyterians, was intended for a double purpose. First, it was likely to create a schism in the Scottish Church, between those who might take, and those who might refuse the oath, which, as dividing the opinions, was likely to diminish the authority, and affect the respectability, of a body zealous for the Protestant succession. Secondly, it was foreseen that the great majority of the Episcopal clergy in Scotland avowedly attached to the exiled family, would not take the Oath of Abjuration, and were likely on that account to be interrupted by the Presbyterians of the country where they exercised their functions. But if a number of the Presbyterian clergy themselves

were rendered liable to the same charge for the same omission, and only indebted for their impunity to the connivance of the government, it was not likely they would disturb others upon grounds which might be objected to themselves. The expedient was successful; for though it was said, that only one Episcopal minister in Scotland, Mr Cockburn of Glasgow, took the Oath of Abjuration, yet no prosecutions followed their recusancy, because a large portion of the ministers of the Kirk would have been liable to vexation on the same account.

Another act of the same session of Parliament, which restored to patrons, as they were called, the right of presenting clergymen to vacant churches in Scotland, seemed calculated, and was probably designed, to render the churchmen more dependent on the aristocracy, and to separate them in some degree from their congregations, who could not be supposed to be equally attached to, or influenced by a minister who held his living by the gift of a great

man, as by one who was chosen by their own free voice. Each mode of election is subject to its own particular disadvantages. The necessity imposed on the clergyman who is desirous of preferment, of suiting his style of preaching to the popular taste, together with the indecent heats and intrigues which attend popular elections, are serious objections to permitting the flock to have the choice of their shepherd. At the same time, the right of patronage is apt to be abused in particular instances, where persons of loose morals, slender abilities, or depraved doctrine, may be imposed, by the fiat of an unconscientious individual, upon a congregation who are unwilling to receive him. But as the Presbyterian clergy possess the power of examination and rejection, subject to an appeal to the superior Church Courts, whatever may be thought of the law of patronage in theory, it has not, during the lapse of more than a century, had any effect in practice detrimental to the respectability of the Church of Scot-

land. There is no doubt, however, that the restoration of the right of lay patrons in Queen Anne's time was designed to separate the ministers of the Kirk from the people, and to render them more dependent on the nobility and gentry, amongst whom, much more than the common people, the sentiments of Jacobitism predominated.

These measures, though all of them indirectly tending to favour the Tory party, which might, in Scotland, be generally termed that of the Stewart family, had yet other motives which might be plausibly alleged for their adoption.

Whatever might be the number and importance of the Lowland gentry in Scotland, who were attached to the cause of the Chevalier de St George, and that number was certainly very considerable, the altered circumstances of the country had so much restricted their authority over the inferior classes, that they could no longer reckon upon raising any considerable number of men by their own influence, nor had they,

since the repeal of the Act of Security, the power of mustering or disciplining their followers, so as to render them fit for military service. It was not to be expected that, with the aid of such members of their family, domestics, or dependents, as might join them in any insurrection, they could do more than equip a few squadrons of horse, and even if they could have found men, they were generally deficient in arms, horses, and the means of taking the field.

The Highland clans were in a different state; they were as much under the command of their superior chiefs and chieftains as ever they had been during the earlier part of their history; and, separated from civilization by the wildernesses in which they lived, they spoke the language, wore the dress, submitted to the government, and wielded the arms of their fathers. It is true, that clan wars were not now practised on the former great scale, and that two or three small garrisons of soldiers quartered amongst them put some stop to their predatory incursions. The superior chieftains and

tacksmen, more especially the *duinhé-wassals*, or dependent gentlemen of the tribe, were in no degree superior in knowledge to the common clansmen. The high chiefs, or heads of the considerable clans, were in a very different situation. They were almost all men of good education, and polite manners, and when in Lowland dress and Lowland society, were scarce to be distinguished from other gentlemen, excepting by an assumption of consequence, the natural companion of conscious authority. They often travelled abroad, and sometimes entered the military service, looking always forward to the time when their swords should be required in the cause of the Stewarts, to whom they were in general extremely attached; though in the West Highlands the great influence of the Duke of Argyle, and in the North that of the Earl of Sutherland and Lord Reay, together with the chiefs of Grant, Ross, Munro, and other northern tribes, fixed their clans in the Whig interest.

These chiefs were poor; for the produce

of their extensive but barren domains was entirely consumed in supporting the military force of the clan, from whom no industry was to be expected, as it would have degraded them in their own eyes, and in those of their leaders, and rendered them unfit for the discharge of their warlike duties. The chiefs, at the same time, when out of the Highlands, were expensive as well as needy. The sense of self-importance, which we have already noticed, induced them to imitate the expenses of a richer country, and many, by this inconsistent conduct, exposed themselves to pecuniary distress. To such men money was particularly acceptable, and it was distributed among them annually by Queen Anne's government, during the latter years of her reign, to the amount of betwixt three and four thousand pounds. The particular sum allotted to each chief was about L.360 sterling, for which a receipt was taken, as for a complete year's payment of the bounty-money, which her Majesty had been pleased to bestow on the receiver.

These supplies were received the more

willingly, because the Highland chiefs had no hesitation in regarding the money as the earnest of pay to be issued for their exertions in the cause of the House of Stewart, to which they conceived themselves to be attached by duty, and certainly were so by inclination. And there can be no doubt, as the pensions were sure to be expended in maintaining and increasing their patriarchal followers, and keeping them in readiness for action, it seems to have been considered by the chiefs, that the largesses were designed by government for that, and no other purpose. The money was placed at the disposal of the Earl of Mar, Secretary of State, and his being the agent of this bounty, gave him the opportunity of improving and extending his influence among the Highland chiefs, afterwards so fatally employed for them and for himself.

The construction which the chiefs put upon the bounty bestowed on them was clearly shown by their joining in a supplication to the Queen, about the end of the

year 1713, which got the name of the *Sword-in-hand Address.* In one paragraph, they applaud the measures taken for repressing the licence of the press, and trust that they should no longer be scandalized by hearing the Deity blasphemed, and the sacred race of Stewart traduced, with equal malice and impunity. In another, they expressed their hopes, that, after her Majesty's demise, "the hereditary and parliamentary sanction might possibly meet in the person of a lineal successor." These intimations are sufficiently plain, to testify the sense in which they understood the Queen's bounty-money.

The Duke of Argyle, whose own influence in the Highlands was cramped and interfered with by the encouragement given to the Jacobite clans, brought the system of their pensions before Parliament, as a severe charge against the ministers, whom he denounced as rendering the Highlands a seminary for rebellion. The charge led to a debate of importance.

The Duke of Argyle represented that "the Scots Highlanders, being for the most

part either rank Papists, or declared Jacobites, the giving them pecuniary assistance was, in fact, keeping up Popish seminaries and fomenting rebellion." In answer to this the Treasurer Oxford alleged, "That in this particular he had but followed the example of King William, who, after he had reduced the Highlanders, thought fit to allow yearly pensions to the heads of clans, in order to keep them quiet; and if the present ministry could be charged with any mismanagement on that head, it was only for retrenching part of these gratuities." This reference to the example of King William, seemed to shut the door against all cavil on the subject, and the escape from censure was regarded as a triumph by the ministers. Yet as it was well understood, that the pensions were made under the guise of military pay, it might have been safely doubted, whether encouraging the Chiefs to increase the numbers and military strength of their clans was likely to render them more orderly or peaceable subjects; and the scheme of mi-

nisters seemed, on the whole, to resemble greatly the expedient of the child's keeper, who should give her squalling charge a knife in order to keep it quiet.

These various indications manifested that the Ministry, at least a strong party of them, were favourable to the Pretender, and meant to call him to the throne on the Queen's decease. This event could not now be far distant, since, with every symptom of declining health, Anne was harassed at once with factions among her subjects and divisions in her councils, and, always of a timid temper, had now become, from finding her confidence betrayed, as jealous and suspicious as she had been originally docile in suffering herself to be guided without doubt or hesitation. She had many subjects of apprehension pressing upon a mind which, never of peculiar strength, was now enfeebled by disease. She desired, probably, the succession of her brother, but she was jealous lest the hour of that succession might be anticipated by the zeal of his followers; nor did she less dread, lest the

effects of that enthusiasm for the house of Hanover, which animated the Whigs, might bring the Electoral Prince over to England, which she compared to digging her grave while she was yet alive. The disputes betwixt Oxford and Bolingbroke divided her councils, and filled them with mutual upbraidings, which sometimes took place before the Queen; who, naturally very sensitive to the neglect of the personal etiquette due to her rank, was at once alarmed by their violence, and offended by the loose which they gave to their passions in her very presence.

The Whigs, alarmed at the near prospect of a crisis which the death of the Queen could not fail to bring on, made the most energetic and simultaneous preparations to support the Hanoverian succession to the crown, by arms, if necessary. They took special care to represent, at the court of Hanover, their dangers and sufferings on account of their attachment to the Protestant line; and such of them as lost places of honour or profit, were, it may be belie-

ved, neither moderate in their complaints, nor sparing in the odious portraits which they drew of their Tory opponents. The Duke of Argyle, and Generals Stanhope and Cadogan, were actively engaged in preparing such officers of the British army as they dared trust, to induce the soldiers, in case of need, to declare themselves against the party who had disgraced Marlborough, their victorious general—had undervalued the achievements which they had performed under his command, and put a stop to the career of British conquest by so doing. The Elector of Hanover was induced to negotiate with Holland and other powers, to supply him with troops and shipping, in case it should be necessary to use force in supporting his title to the succession of Great Britain. A scheme was laid for taking possession of the Tower on the first appearance of danger; and the great men of the party entered into an association, binding themselves to stand by each other in defence of the Protestant succession.

While the Whigs were united in these

energetic and d ıring measures, the Tory ministers were, by their total disunion, rendered incapable of availing themselves of the high ground which they occupied, as heads of the administration, or by the time allowed them by the flitting sands of the Queen's life, which were now rapidly ebbing. The discord between Oxford and Bolingbroke had now risen so high, that the latter frankly said, that if the question were betwixt the total ruin of their party, and reconciliation with Oxford and safety, he would not hesitate to choose the first alternative. Their views of public affairs were totally different. The Earl of Oxford advised moderate measures, and even some compromise or reconciliation with the Whigs. Bolingbroke conceived he should best meet the Queen's opinions by affecting the most zealous high church principles, giving hopes of the succession of her brother after her death, and by assiduously cultivating the good graces of Mrs Hill, (now created Lady Masham,) the royal favourite; in which, by the superior grace of his manners, and simi-

larity of opinions, he had entirely superseded the Lord Treasurer Oxford.

This dissension betwixt the political rivals, which had smouldered so long, broke out into open hostility in the month of July, 1714, when an extremely bitter dialogue, abounding in mutual recriminations, passed in the Queen's presence betwixt Lord Treasurer Oxford on the one part, and Bolingbroke and Lady Masham on the other. It ended in the Lord Treasurer's being deprived of his office.

The road was now open to the full career of Bolingbroke's ambition. The hour he had wished and lived for was arrived; and neither he himself, nor any other person, entertained a doubt that he would be raised to the rank of lord treasurer and first minister. But vain are human hopes and expectations! The unfortunate Queen had suffered so much from the fatigue and agitation which she had undergone during the scene of discord which she had witnessed, that she declared she could not survive it. Her apprehensions proved prophetic. The stor-

my consultation, or rather debate, to which we have alluded, was held on the 27th July, 1714. On the 28th, the Queen was seized with a lethargic disorder. On the 30th, her life was despaired of.

Upon that day, the Dukes of Somerset and Argyle, both hostile to the present, or, as it might rather now be called, the late, administration, took the determined step of repairing to the Council-board, where the other members, humbled, perplexed, and terrified, were well contented to accept their assistance. On their suggestion, the treasurer's staff was conferred on the Duke of Shrewsbury, a step with which the dying Queen declared her satisfaction; and thus fell the towering hopes of Bolingbroke.

On the 1st of August Queen Anne expired, the last of the lineal Stewart race who sat on the throne of Britain. She was only fifty years old, having reigned for twelve years; and her death took place at the most critical period which the empire had experienced since the Revolution.

## CHAP. VI.

*Proclamation of King George I.—The Earl of Stair's Embassy to France—his influence in preventing opposition on the part of Louis XIV. to the Accession of the Elector of Hanover—State of Parties on the arrival of George I.—Imprisonment of Oxford, and Impeachment of Bolingbroke and Ormond—Insurrection planned by the Jacobites—The Earl of Mar is repulsed in his advances to the new Monarch, and retires to Scotland—The Scottish Cavaliers—Hunting of Braemar, and resolution of the Jacobite Leaders to take up arms—Attempt to surprise Edinburgh Castle—Preparations of Government to oppose the Insurgent Jacobites.*

THE period of Queen Anne's demise found the Jacobites, for a party who were both numerous and zealous, uncommonly ill prepared and irresolute. They had nursed themselves in the hope that the dark and mysterious conduct of Oxford was designed

to favour his purpose of a counter-revolution; and the more open professions of Bolingbroke, which reached the Jacobites of Scotland through the medium of the Earl of Mar, were considered as pointing more explicitly to the same important end.

But they were mistaken in Oxford's purpose, who only acted towards them as it was in his nature to do towards all mankind; and so regulated his conduct as to cause the Jacobites to believe he was upon their side, while, in fact, his only purpose was to keep factions from breaking into extremities, and to rule all parties, by affording hopes to each in their turn, which were all to be ultimately found delusive.

Bolingbroke, on the other hand, was more sanguine and decided, both in opinion and action; and he would probably have been sufficiently active in his measures in behalf of King James, had he possessed the power of maturing them. But being thus mocked by the cross fate which showed him the place of his ambition at one mo-

ment empty, and in the next all access to it closed against him, he was taken totally unprepared; and the Duke of Ormond, Sir William Windham, and other leaders of the Jacobite party, shared the same disadvantage. They might, indeed, have proclaimed King James the Third in the person of the Chevalier de St George, and trusted to their influence with the Tory landed gentlemen, and with the populace, to effect an universal insurrection. Some of them even inclined to this desperate measure; and the celebrated Dr Atterbury, Bishop of Rochester, offered to go to Westminster in his rochet and lawn sleeves, and himself to perform the ceremony. This, however, would have been commencing a civil war, in which, the succession of the house of Hanover being determined by the existing law, the insurrectionists must have begun by incurring the guilt of high treason, without being assured of any force by which they might be protected. Upon the whole, therefore, the Jacobites, and those

who wished them well, remained, after the Queen's death, dejected, confused, and anxiously watchful of circumstances, which they did not pretend to regulate or control.

On the contrary, the Whigs, acting with uncommon firmness and unanimity, took hold of the power which had so lately been possessed by their opponents, like troops who seize in action the artillery of their enemy, and turn it instantly against them. The privy councillors who were of that party, imitating the determined conduct of the Dukes of Somerset and Argyle, repaired to the Council, without waiting for a summons, and issued instant orders for the proclamation of King George, which were generally obeyed without resistance. The assembled Parliament recognized King George I. as the sovereign entitled to succeed, in terms of the act regulating the destination of the crown. The same proclamation took place in Ireland and Scotland without opposition; and thus the King took legal and peaceable possession of his kingdom. It

appeared, also, that England's most powerful, and, it might seem, most hostile neighbour, Louis XIV., was nowise disposed to encourage any machinations which could disturb the Elector of Hanover's accession to the crown. The Chevalier de St George had made a hasty journey to Paris, upon learning the tidings of Queen Anne's death; but far from experiencing a reception favourable to his views on the British crown, he was obliged to return to Lorraine, with the sad assurance that the monarch of France was determined to adhere to the Treaty of Utrecht, by an important article of which he had recognized the succession of the House of Hanover to the Crown of Great Britain. It is more than probable, as before hinted, that there had been, during the dependence of the treaty, some private understanding, or perhaps secret agreement with Bolingbroke, which might disarm the rigour of this article. But it was evident that the power of the minister with whom such an engagement had been made,

if indeed it existed in any formal shape, was now utterly fallen; and the affairs of Britain were, soon after King George's accession, entrusted to a ministry, who had the sagacity to keep the French King firm to his engagement, by sending to Paris an ambassador, equally distinguished for talents in war and in diplomacy, and for warm adherence to the Protestant line.

This eminent person was John Dalrymple, the second Earl of Stair, whose character demands particular notice amongst the celebrated Scotsmen of this period. He was eldest surviving son of the first Earl, distinguished more for his talents than his principles, in the reigns of King William and Queen Anne, infamous for his accession to the massacre of Glencoe, and unpopular from the skill and political talent which he displayed in favour of the Union, in carrying which through the Scottish Parliament he was a most useful agent. According to the prejudiced observations of

the common people, ill fortune seemed to attend his house. He died suddenly during the dependence of the Union treaty, and vulgar report attributed his death to suicide, for which, however, there is no evidence but that of common fame.

A previous calamity of a cruel nature had occurred, in which John, his second son, was the unfortunate agent. While yet a mere boy, and while playing with fire-arms, he had the great misfortune to shoot his elder brother, and kill him on the spot. The unhappy agent in this melancholy affair was sent off by the ill-fated parents, who could not bear to look upon him, to reside with a clergyman in Ayrshire, as one who was for ever banished from his family. The person to whose care he was committed was fortunately a man of sound sense, and a keen discriminator of character. The idea he formed of the young exile's powers of mind induced him, by a succession of favourable reports, mixed with intercession, warmly to solicit his pupil's restoration

to the family, of which he afterwards became the principal ornament. It was long before he could effect a reconciliation; and the youth, when this was accomplished, entered into the army with the advantages of his rank, and those arising out of early misfortune, which had compelled him to severe study. He was repeatedly distinguished in the wars of Marlborough, and particularly at Ramilies, Oudenarde, and Malplaquet. Lord Stair rose in rank in proportion to his military reputation, but was deprived of his command when the Tory ministers, in the latter end of Queen Anne's reign, new modelled the army, to the exclusion of the Whig officers. Upon the accession of George I. he was appointed a Lord of the Bed-chamber, a Privy Councillor, and commander of the Scottish forces in the absence of the Duke of Argyle. Shortly after that great event, the Earl of Stair was, as we have already mentioned, sent to Paris, where he held for several years the situation of ambassador extraordinary, and where his al-

most miraculous power of acquiring information enabled him to detect the most secret intrigues of the Jacobites, and to watch, and even overawe, the conduct of the court of France, who, well disposed as they were to encourage privately the undertakings of the Chevalier St George, which public faith prevented them from countenancing openly, found themselves under the eye of the most active and acute of statesmen, from whom nothing seemed to remain concealed; while his character for courage, talent, and integrity, made it equally impossible to intimidate, deceive, or influence him. It may be added, that his perfect knowledge of good breeding, in a nation where manners are reduced almost to a science, enabled Lord Stair to preserve the good-will and favour of those with whom he treated, even while he insisted upon topics the most unpalatable to the French monarch and his ministers, and that in a manner the most courteous in style, though most unyielding in

purpose. It may be believed that large sums in secret service money were lavished in this species of diplomacy. Lord Stair was always able, by his superior information, to counteract the plots of the Jacobites, and, satisfied with doing so, was often desirous of screening from the vengeance of his own court the misguided individuals who had rashly engaged in them. It was owing to the activity of this vigilant diplomatist that George I. owed, in a great measure, the neutrality of France, which was a very important addition to the security of his new throne.

To return to our history:—George I., thus quietly installed in his British dominions, landed at Greenwich on the 17th of September, six weeks after the death of his predecessor, Queen Anne. The two great parties of the kingdom seemed in appearance equally disposed to receive him as their rightful monarch; and both submitted to his sway, though with very different hopes and feelings.

The triumphant Whigs were naturally assured of King George's favour towards those who had always shown themselves friendly to his title to the throne; and confident of the merit they might claim, were desirous of exerting their influence, to the utter disgrace, discomfiture, and total suppression, of their political opponents.

The Tories, on the other hand, thought it still possible, while renouncing every plan of opposing the accession of King George, to present themselves before him in such a manner as might command regard; for the number, quality, and importance of a party, which comprised a great majority of the established clergy, the greater part of both the universities, many, if not the largest portion of the lawyers, and the bulk of the proprietors of the soil, or what is called the landed interest, rendered their appearance imposing. Though dejected and humbled, therefore, by their fall from power, they consoled themselves with the idea, that they were too numerous and too important to be

ill received by a Sovereign whose accession they had not opposed, and whom, on the contrary, they had shown themselves willing to acknowledge in the capacity of their monarch, disproving, as they might be disposed to think, by their dutiful demonstrations, any rumours which might have reached his Majesty of the disaffection of many among them to his person.

It would certainly have been the best policy of the newly enthroned monarch, to have received and rewarded the services of the Whigs, without lending himself to the gratification of their political enmities. There was little policy in taking measures which were likely to drive into despair, and probably into rebellion, a large party among his subjects; and there might have been more wisdom, perhaps, as well as magnanimity, in overlooking circumstances which had occurred before his accession—in receiving the allegiance and dutiful professions of the Tories, without attaching any visible doubts to their sincerity—in beco-

ming thus the King of Great Britain, instead of the chief of a party—and by stifling the remembrance of old feuds, and showing himself indifferently the paternal ruler of all his subjects, to have convinced any who remained disaffected, that if they desired to have another prince, they had at least no personal reason for doing so.

We cannot, however, be surprised that George I., a foreign prince, totally unacquainted with the character of the British nation, their peculiar constitution, and the spirit of their parties,—which usually appear, when in the act of collision, much more violent and extravagant than they prove to be when a cessation of hostilities takes place,—should have been disposed to throw himself into the arms of the Whigs, who could plead their sufferings for having steadily adhered to his interest; or that those who had been his steady adherents should have found him willingly inclined to aid them in measures of vindictive retaliation upon their opponents, whom

he had some reason to regard as his personal enemies. It was a case, in which to forgive would have been politic as well as magnanimous; but to resent injuries, and revenge them, was a course natural to human feeling.

The late ministers seemed for a time disposed to abide the shock of the enmity of their political rivals. Lord Oxford waited on the King at his landing, and, though coldly received, remained in London till impeached of high treason by the House of Commons, and committed to the Tower. Lord Bolingbroke continued to exercise his office of Secretary of State until he was almost forcibly deprived of it. An impeachment was also brought against him. His conscience probably pleaded guilty, for he retired to France, and soon after became Secretary to the Chevalier de St George. The Duke of Ormond, a nobleman of popular qualities, brave, generous, and liberal, was in like manner impeached, and in like

manner made his escape to France. His fate was peculiarly regretted, for the general voice exculpated him from taking any step with a view to selfish aggrandisement. Several of the Whigs themselves, who were disposed to prosecute to the uttermost the mysterious Oxford and the intriguing Bolingbroke, were inclined to sympathise with the gallant and generous cavalier, who had always professed openly the principles on which he acted. Many other distinguished persons of the Tory party were threatened with prosecutions, or actually subjected to them; which filled the whole body with fear and alarm, and inclined some of the leaders amongst them to listen to the desperate counsels of the more zealous Jacobites, who exhorted them to try their strength with an enemy who showed themselves implacable, and not to submit to their ruin without an effort to defend themselves. A large party of the populace all through the country, and in London itself, renewed the cry of

"High Church for ever," with which were mingled the names of Ormond and Oxford, the principal persons under prosecution. Among the clergy, there were found many who, out of zeal for their order, encouraged the lower classes in their disorderly proceedings; in which they burnt and destroyed the meeting-houses of dissenters, pillaged the houses of their ministers, and committed all those irregularities by which an English mob is distinguished, but whose vehemence of sentiment generally evaporates in such acts of clamour and violence.

There were, however, deeper symptoms of disaffection than those displayed in the empty roar and senseless ravage of the populace. Bolingbroke and Ormond, who had both found refuge at the court of the Pretender to the crown, and acknowledged his title, carried on a secret correspondence with the Tories of influence and rank in England, and encouraged them to seek, in a general insurrection for the cause of James

III., a remedy for the evils with which they were threatened, both personally and as a political party. But England had been long a peaceful country. The gentry were opulent, and little disposed to risk, in the event of war, their fortunes and the comforts which they procured them. Strong assistance from France might have rendered the proposal of an insurrection more acceptable; but the successful diplomacy of Lord Stair at the Court of Louis destroyed all hopes of this, unless on a pitifully small scale. Another resource occurred to the Jacobite leaders, which might be attained by instigating Scotland to set the example of insurrection. The gentry in that country were ready for war, which had been familiar to them on many occasions during the lives of their fathers and their own. They might be easily induced to take arms—the Highlanders, to whom war was a state preferable to peace, were sure to take the field with them—the Border counties of England were most likely to

catch the flame, from the disposition of many of the gentry there—and the conflagration, it was expected, might, in the present humour of the nation, be extended all over England. To effect a rising, therefore, in Scotland, with a view to a general insurrection throughout Great Britain, became the principal object of those who were affected by, or who resented, the prosecutions directed with so much rigour against the members of Queen Anne's last ministry.

The Earl of Mar, whom we have repeatedly mentioned as Secretary of State during the last years of Queen Anne, and as the person to whom the distribution of money among the Highland clans, and the general management of Scottish affairs, was intrusted by her ministry, was naturally considered as the person best qualified to bring his countrymen to the desired point. Mar had not felt any difficulty in changing from the Whig principles which he professed at

the time of the Union,—on which occasion he was one of the Scottish Secretaries of State,—to the Tory principles of Bolingbroke, which he now professed. We do him, therefore, no wrong in supposing, that he would not have sturdily rejected any proposal from the court of George I. to return to the party of Whig and Low Church. At least it is certain, that when the heads of the Tory party had determined to submit themselves to George I., Lord Mar, in following the general example, endeavoured to distinguish himself by a display of influence and consequence, which might mark him as a man whose adherence was worth securing, and who was, at the same time, willing to attach himself to the new sovereign. In a letter addressed to King George while in Holland, and dated 30th August, 1714, the Earl expresses great apprehension that his loyalty or zeal for the King's interests may have been misrepresented to his Majesty, because he found

himself the only one of Queen Anne's servants whom the Hanoverian ministers at the court of London did not visit. His lordship then pleads the loyalty of his ancestors, his own services at the Union, and in passing the Act of Succession; and, assuring the King that he will find him as faithful a subject and servant as ever any of his family had been to the preceding royal race, or as he himself had been to the late Queen, he conjures him not to believe any misrepresentations of his conduct, and concludes with a devout prayer for the quiet and peaceful reign of the monarch, in disturbing which he himself was destined to be the prime instrument.

But it was not only on his individual application that the Earl of Mar expected indemnity, and perhaps favour, at the court of George I. He desired also to display his influence over the Highlanders, and for that purpose procured a letter, subscribed by a number of the most influential Chiefs of

the clans, addressed to himself, as having an estate and interest in the Highlands, conjuring him to assure the government of their loyalty to his Sacred Majesty, King George, and to protect them, and the heads of other clans who, from distance, could not attend at the signing of the letter, against the misrepresentations to which they might be exposed; protesting, that as they had been ready to follow Lord Mar's directions in obeying Queen Anne, so they would be equally forward to concur with him in faithfully serving King George. At the same time, a loyal address of the clans to the same effect, drawn up by Lord Grange, brother to Mar, was forwarded to and placed in the hands of the Earl, to be delivered to the King at his landing. Lord Mar attended at Greenwich accordingly, and doubtless expected a favourable reception, when delivering to the new Monarch a recognition of his authority on the part of a class of his subjects who were supposed to be inimical to his ac-

cession, and were certainly best prepared to disturb his new reign. Lord Mar was, however, informed that the King would not receive the address of the clans, alleging it had been concocted at the court of the Pretender; and he was at the same time commanded to deliver up the seals, and informed that the King had no farther occasion for his services.

On the policy of this repulse it is almost unnecessary to make observations. Although it might be very true, that the address was made up with the sanction of the Chevalier de St George and his advisers, it was not less the interest of George I. to have received, with the usual civility, the expressions of homage and allegiance which it contained. In a similar situation, King William did not hesitate to receive, with apparent confidence, the submission of the Highland clans, though it was well understood that it was made under the express authority of King James II.

A monarch whose claim to obedience is yet young, ought in policy to avoid an immediate quarrel with any part of his subjects who are ready to profess allegiance as such. His authority is, like a transplanted tree, subject to injury from each sudden blast, and ought, therefore, to be secured from such, until it is gradually connected by the ramification of its roots incorporating themselves with the soil in which it is planted. A sudden gust may in the one case overturn, what in the other can defy the rage of a continued tempest. It seems at least certain, that in bluntly, and in a disparaging manner, refusing an address expressing allegiance and loyalty, and affronting the haughty courtier by whom it was presented, King George exposed his government to the desperate alternative of civil war, and the melancholy expedient of closing it by bringing many noble victims to the scaffold, which during the reign of his predecessor had never been stained with British blood shed for

political causes. The impolicy, however, cannot justly be imputed to a foreign prince, who, looking at the list of Celtic names, and barbarously unpronounceable designations which were attached to the address, could not be supposed to infer from thence, that the subscribers were collectively capable of bringing into the field, on the shortest notice, ten thousand men, who, if not regular soldiers, were accustomed to a sort of discipline which rendered them equal to such. There were many around the King who could have informed him on this subject; and, to their failing to do so, the bloodshed, and concomitant misfortunes of the future civil war, must justly be attributed.

The Earl of Mar, thus repulsed in his advances to the new monarch, necessarily concluded that his ruin was determined on; and, with the desire of revenge, which was natural at least, if not justifiable, he resolved to place himself at the head of the disaffected party in Scotland, encouraging them to instant insurrection, and paying

back the contumely with which his offer of service had been rejected, by endangering the government of the prince at whose hands he had experienced such an insult.

It was early in August, 1715, that the Earl of Mar embarked at Gravesend, in the strictest incognito, having for his companions Major-general Hamilton and Colonel Hay, men of some military experience. They sailed in a coal-sloop, working, it was said, their passage, the better to maintain their disguise, till they landed at the small port of Elie, on the eastern shore of Fife, a county which then abounded with friends to the Jacobite cause. The state of this province in other respects offered facilities to Mar. It is a peninsula, separated from Lothian by the Frith of Forth, and from the shire of Angus by that of Tay; and as it did not, until a very late period, hold much intercourse with the metropolis, though so near it in point of distance, it seemed like a district separated from the rest of Scotland, and was sometimes jocosely termedthe

"Kingdom of Fife." The commonalty were, in the beginning of the 18th century, almost exclusively attached to the Presbyterian persuasion; but it was otherwise with the gentry, who were numerous in this province to a degree little known in other parts of Scotland. Its security, during the long wars of former centuries, had made it early acquainted with civilisation. The value of the soil, on the sea-coasts at least, had admitted of great subdivision of property; and there is no county of Scotland which displays so many country-seats within so short a distance of each other. These gentlemen were, as we have said, chiefly of the Tory persuasion, or, in other words, Jacobites; for the subdivision of politicians termed *Whimsicals*, or Tories attached to the house of Hanover, could hardly be said to exist in Scotland, though well known in South Britain. Besides their tenets, the Fife Lairds were most of them men who had not much to lose in civil broils, having to support an establishment

considerably above the actual rents of their estates, which were, of course, impaired by increasing debts : they were, therefore, the less unwilling to engage in dangerous enterprises. As a party affecting the manners of the ancient Cavaliers, they were jovial in their habits, and cautious to omit no opportunity of drinking the King's health; a point of loyalty which, like virtue of other kinds, had its own immediate reward. Loud and bold talkers, the Jacobites had accustomed themselves to think they were the prevailing party ; an idea which those of any particular faction, who converse exclusively with each other, are usually found to entertain. Their want of knowledge of the world, and the total absence of newspapers, save those of a strong party leaning, whose doctrines or facts they took care never to correct by consulting any of an opposite tendency, rendered them at once curious and credulous. This slight sketch of the Fife lairds may be applied, with equal justice, to the Jacobite country gentlemen of that period in most

counties of Scotland. They had virtues to balance their faults and follies. The political principles they followed had been handed down to them from their fathers; they were connected, in their ideas, with the honour of their country; and they were prepared to defend them with a degree of zeal, which valued not the personal risks in which the doing so might place life and property. There were also individuals among them who had natural talents improved by education. But, in general, the persons whom the Earl of Mar was now desirous to stir up to some sudden act of mutiny, were of that frank and fearless class who are not guilty of seeing far before them. They had already partaken in the general excitation caused by Queen Anne's death, and the approaching crisis which was expected to follow that important event. They had struggled with the Whig gentry, inferior in number, but generally more alert and sagacious in counsel and action, concerning the addresses of head-

courts and the seats on the bench of justices. Many of them had commissioned swords, carabines, and pistols from abroad. They had bought up horses fit for military service; and some had taken into their service additional domestics, selecting in preference men who had served in some of the dragoon regiments, which had been reduced in consequence of the peace of Utrecht. Still, notwithstanding these preparations for a rising, some of the leading men in Fife, as elsewhere, were disposed to hesitate before engaging in the irretrievable step of rebellion against the established government. Their reluctance was overcome by the impatience of the majority, excited by the flattering though premature rumours which were actively circulated by a set of men, who might be termed the Intelligencers of the faction.

It is well known, that in every great political body there are persons, usually neither the wisest, the most important, or most estimable, who endeavour to gain personal consequence by pretending peculiar acces

to information concerning its most intimate concerns, and who are equally credulous in believing, and indefatigable in communicating, whatever rumours are afloat concerning the affairs of the party, whom they encumber by adhering to. With several of these Lord Mar communicated, and exalted their hopes to the highest pitch, by the advantageous light in which he placed the political matters which he wished them to support, trusting to the exaggerations and amplifications with which they were sure to retail what he had said.

Such agents, changing what had been stated as probabilities into certainties, furnished an answer to every objection which could be offered by the more prudent of their party. If any cautious person objected to stir before the English Jacobites had shown themselves serious—some one of these active vouchers was ready to affirm, that every thing was on the point of a general rising in England, and only waited the appearance of a French fleet with ten thousand men, head-

ed by the Duke of Ormond. Did the listener prefer an invasion of Scotland,—the same number of men, with the Duke of Berwick at their head, were as readily promised. Supplies of every kind were measured out, according to the desire of the auditors; and if any was moderate enough to restrain his wish to a pair of pistols for his own use, he was assured of twenty brace to accommodate his friends and neighbours. This kind of mutual delusion was every day increasing; for as those who engaged in the conspiracy were interested in obtaining as many proselytes as possible, they became active circulators of the sanguine hopes and expectations by which they, perhaps, began already to suspect that they had been themselves deceived.

It is true, that, looking abroad at the condition of Europe, these unfortunate gentlemen ought to have seen, that the state of France at that time was far from being such, as to authorize any expectations of the prodigal supplies which she was represented as

being ready to furnish, or, rather, as being in the act of furnishing. Nothing was less likely, than that that kingdom, just extricated from a war in which it had been nearly ruined, by a peace so much more advantageous than they had reason to expect, should have been disposed to afford a pretext for breaking the treaty which had pacified Europe, and for renewing against France the confederacy under whose pressure she had nearly sunk. This was more especially the case, when, by the death of Louis XIV.,* whose ambition and senseless vanity had cost so much blood, the government devolved on the Regent Duke of Orleans. Had Louis survived, it is probable that, although he neither did nor dared to have publicly adopted the cause of the Chevalier de St George, as was indeed evident by his refusing to receive him at his court; yet, the recollection of his promise to the dying James II., as well as the

* 1st August, 1715.

wish to embarrass England, might have induced him to advance money, or give some underhand assistance to the unhappy exile. But, upon Louis's death, the policy of the Duke of Orleans, who had no personal ties whatever with the Chevalier de St George, induced him to keep entire good faith with Britain—to comply with the requisitions of the Earl of Stair—and to put a stop to all such preparations in the French ports, as the vigilance of that minister had detected, and denounced as being made for the purpose of favouring the Jacobite insurrection. Thus, while the Chevalier de St George was represented as obtaining succours in arms, money, and troops, from France, to an amount which that kingdom could hardly have supplied, and, from her inferiority in naval force, certainly must have found it difficult to have transported into Britain, even in Louis's most palmy days, the ports of that country were even closed against such exertions as the Cheva-

lier might make upon a small scale by means of his private resources.

But the death of Louis XIV. was represented in Scotland as rather favourable, than otherwise, to the cause of James the Pretender. The power of France was now wielded, it was said, by a courageous and active young prince, to whose character enterprise was more natural than to that of an aged and heart-broken old man, and who would, of course, be ready to hazard as much, or more, in the cause of the Jacobites, than the late monarch had so often promised. In short, the death of Louis the Great, long the hope and prop of the Jacobite cause, was boldly represented as a favourable event during the present crisis.

Although a little dispassionate enquiry would have dispelled the fantastic hopes, founded on the baseless rumour of foreign assistance, yet such fictions as I have here alluded to, tending to exalt the zeal and spirits of the party, were circulated because they were believed, and believed because

they were circulated; and the gentlemen of Stirlingshire, Perth, Angus, and Fifeshire, began to leave their homes, and assemble in arms, though in small parties, at the foot of the Grampian hills, expecting the issue of Lord Mar's negotiations in the Highlands.

Upon leaving Fifeshire, having communicated with such gentlemen as were most likely to serve his purpose, Mar proceeded instantly to his own estates of Braemar, lying along the side of the river Dee, and took up his residence with Farquharson of Invercauld. This gentleman was chief of the clan Farquharson, and could command a very considerable body of men. But he was vassal to Lord Mar for a small part of his estate, which gave the Earl considerable influence with him; not, however, sufficient to induce him to place himself and followers in such hazard as would have been occasioned by an instant rising. He went to Aberdeen, to avoid importunity on the subject, having previously declared to Mar,

that he would not take arms until the Chevalier de St George had actually landed. At a later period he joined the insurgents.

Disappointed in this instance, Mar conceived, that as desperate resolutions are usually most readily adopted in large assemblies, where men are hurried forward by example, and prevented from retreating, or dissenting, by shame, he should best attain his purpose in a large convocation of the chiefs and men of rank, who professed attachment to the exiled family. The assembly was made under pretext of a grand hunting match, which, as maintained in the Highlands, was an occasion of general rendezvous of a peculiar nature. The lords attended at the head of their vassals, all, even Lowland guests, attired in the Highland garb, and the sport was carried on upon a scale of rude magnificence. A circuit of many miles was formed around the wild desolate forests and wildernesses, which are inhabited by the red deer, and is called

the *tinchel.* Upon a signal given, the hunters who compose the tinchel begin to move inwards, closing the circle, and driving the terrified deer before them, with whatever else the forest contains of wild animals who cannot elude the surrounding sportsmen. Being in this manner concentrated and crowded together, they are driven down a defile, where the principal hunters lie in wait for them, and show their dexterity, by marking out and shooting those bucks which are in season. As it required many men to form the tinchel, the attendance of vassals on these occasions was strictly insisted upon. Indeed, it was one of the feudal services required by the law, attendance on the superior at *hunting* being as regularly required as at *hosting*, that is, joining his banner in war; or *watching* and *warding*, garrisoning, namely, his castle in times of danger.

An occasion such as this was highly favourable; and the general love of sport, and well-known fame of the forest of Braemar

for game of every kind, assembled many of the men of rank and influence who resided within reach of the rendezvous, and a great number of persons besides, who, though of less consequence, served to give the meeting the appearance of numbers. This great council was held about the 26th of August, and, it may be supposed, they did not amuse themselves much with hunting, though it was the pretence and watchword of their meeting.

Among the noblemen of distinction, there appeared in person, or by representation, the Marquis of Huntly, eldest son of the Duke of Gordon; the Marquis of Tulliebardine, eldest son of the Duke of Athole; the Earls of Nithsdale, Marischal, Traquair, Errol, Southesk, Carnwath, and Linlithgow; the Viscounts of Kilsythe, Kenmuir, Kingston, and Stormount; the Lords Rollo, Duffus, Drummond, Strathallan, Ogilvy, and Nairne. Of the chiefs of clans, there attended Glengarry, Campbell of Glendarule, on the part of the powerful Earl of

Breadalbane, with others of various degrees of importance in the Highlands.

When this council was assembled, the Earl of Mar addressed them in a species of eloquence which was his principal accomplishment, and which was particularly qualified to succeed with the high-spirited and zealous men by whom he was surrounded. He confessed, with tears in his eyes, that he had himself been but too instrumental in forwarding the Union between England and Scotland, which had given the English the power, as they had the disposition, to enslave the latter kingdom. He urged that the Prince of Hanover was an usurping intruder, governing by means of an encroaching and innovating faction; and that the only mode to escape his tyranny was to rise boldly in defence of their lives and property, and to establish on the throne the lawful heir of these realms. He declared that he himself was determined to set up the standard of James III., and summon around it all those over whom

he had influence, and to hazard his fortune and life in the cause. He invited all who heard him to unite in the same generous resolution. He was large in his promises of assistance from France in troops and money, and persisted in the story that two descents were to take place, one in England, under the command of Ormond, the other in Scotland, under that of the Duke of Berwick. He also strongly assured his hearers of the certainty of a general insurrection in England, but alleged the absolute necessity of showing them an example in the north, for which the present time was most appropriate, as there were few regular troops in Scotland to restrain their operations, and as they might look for assistance to Sweden as well as to France.

It has been said that Mar, on this memorable occasion, showed letters from the Chevalier de St George, with a commission nominating the Earl his lieutenant-general and commander-in-chief of his armies in Scotland. Other accounts say,

more probably, that Mar did not produce any other credentials than a picture of the Chevalier, which he repeatedly kissed, in testimony of zeal for the cause of the original, and that he did not at the time pretend to the supreme command of the enterprise. This is also the account given in the statement of the transaction drawn up by Mar himself, or under his eye, where it is plainly said, that it was nearly a month after the standard was set up ere the Earl of Mar could procure a commission.

The number of persons of rank who were assembled, the eloquence with which topics were publicly urged which had been long the secret inmates of every bosom, had their effect on the assembled guests; and every one felt, that to oppose the current of the Earl's discourse by remonstrance or objection, would be to expose himself to the charge of cowardice, or of disaffection to the common cause. It was agreed that all of them should return home, and raise, under various pretexts, whatever forces they could

individually command against a day, fixed for the 3d of September, on which they were to hold a second meeting at Aboyne, in Aberdeenshire, in order to settle how they were to take the field. The Marquis of Huntly alone declined to be bound to any limited time; and in consequence of his high rank and importance, he was allowed to regulate his own motions at his own pleasure.

Thus ended that celebrated hunting in Braemar, which, as the old bard says of that of Chevy Chace, might, from its consequences, be wept by a generation which was yet unborn. There was a circumstance mentioned at the time, which tended to show that all men had not forgotten that the Earl of Mar, on whose warrant this rash enterprise was undertaken, was considered by some as rather too versatile to be fully trusted. As the castle of Braemar was overflowing with guests, it chanced that, as was not unusual on such occasions, many of the gentlemen of the secondary class could not

obtain beds, but were obliged to spend the night around the kitchen fire, which was then accounted no great grievance. An English footman, a domestic of the Earl, was of a very different opinion. Accustomed to the accommodations of the south, he came bustling in among the gentlemen, and complained bitterly of being obliged to sit up all night, notwithstanding he shared the hardship with his betters, saying, that rather than again expose himself to such a strait, he would return to his own country and turn Whig. However, he soon after comforted himself by resolving to trust to his master's dexterity for escaping every great danger. "Let my lord alone," he said; "if he finds it necessary, he can turn cat-in-pan with any man in England."

While the Lowland gentlemen were assembling their squadrons, and the Highland chiefs levying their men, an incident took place in the metropolis of Scotland, which showed that the spirit of enterprise which

animated the Jacobites had extended to the capital itself.

James Lord Drummond, son of that unfortunate Earl of Perth, who, having served James VII. as Chancellor of Scotland, shared the exile of his still more unfortunate master, and been rewarded with the barren title of Duke of Perth, was at present in Edinburgh; and by means of one Mr Arthur, who had been formerly an ensign in the Scots Guards, and quartered in the Castle, had formed a plan of surprising that inaccessible fortress, which resembled an exploit of Thomas Randolph, or the Black Lord James of Douglas, rather than a feat of modern war. This Ensign Arthur found means of seducing, by money and promises, a sergeant named Ainslie, and two privates, who engaged, that, when it was their duty to watch on the walls which rise from the precipice looking northward, near the Sally-port, they would be prepared to pull up from the bottom certain rope-ladders prepared for the purpose, and

furnished with iron grapplings to make them fast to the battlements. By means of these, it was concluded that a select party of Jacobites might easily scale the walls, and make themselves masters of the place. By a beacon placed on a particular part of the Castle, three rounds of artillery, and a succession of fires made from hill to hill through Fife and Angus shires, the signal of success was to be communicated to the Earl of Mar, who was to hasten forward with such forces as he had collected, and take possession of the capital city and chief strength of Scotland.

There was no difficulty in finding agents in this perilous and important enterprise. Fifty Highlanders, picked men, were summoned up from Lord Drummond's estates in Perthshire, and fifty more were selected among the Jacobites of the metropolis. These last were disbanded officers, writers' clerks and apprentices, and other youths of a class considerably above the mere vulgar Drummond, otherwise called MacGregor, of

Bahaldie, a Highland gentleman of great courage, was named to command the enterprize. If successful, this achievement must have given the Earl of Mar and his forces the command of the greater part of Scotland, and afforded them a safe and ready means of communication with the English malecontents, the want of which was afterwards so severely felt. He would also have obtained a large supply of money, arms, and ammunition deposited in the fortress, all of which were most needful for his enterprise. And the apathy of Lieutenant-Colonel Stewart, then Deputy-governor of the Castle, was so great that, in spite of numerous blunders on the part of the conspirators, and an absolute revelation on the subject made to Government, the surprise had very nearly taken place.

The younger conspirators who were to go on this forlorn hope, had not discretion in proportion to their courage. Eighteen of them, on the night appointed, were engaged drinking in a tippling house, and were

so careless in their communications, that the hostess was able to tell some person who enquired what the meeting was about, that it consisted of young gentlemen who were in the act of having their hair powdered, in order to go to the attack of the Castle. At last the full secret was intrusted to a woman. Arthur, their guide, had communicated the plot to his brother, a medical man, and engaged him in the enterprise. But when the time for executing it drew nigh, the doctor's extreme melancholy was observed by his wife, who, like a second Belvidera or Portia, suffered him not to rest until she extorted the secret from him, which she communicated in an anonymous letter to Sir Adam Cockburn of Ormiston, then Lord Justice Clerk, who instantly dispatched the intelligence to the Castle. The news arrived so critically, that it was with difficulty the messenger obtained entrance to the Castle; and even then the deputy-governor, disbelieving the intelligence, or secretly well affected to the cause of the

Pretender, contented himself with directing the rounds and patrols to be made with peculiar care, and retired to rest.

In the meantime, the Jacobite storming party had rendezvoused at the churchyard of the West Kirk, and proceeded to post themselves beneath the Castle wall. They had a part of their rope ladders in readiness, but the artificer, one Charles Forbes, a merchant in Edinburgh, who ought to have been there with the remainder, which had been made under his direction, was nowhere to be seen. Nothing could be done during his absence; but, actuated by their impatience, the party scrambled up the rock, and stationed themselves beneath the wall, at the point where their accomplice kept sentry. Here they found him ready to perform his stipulated part of the bargain, by pulling up the ladder of ropes which was designed to give them admittance. He exhorted them, however, to be speedy, telling them he was to be relieved by the patrol at twelve o'clock, and if the affair were not

completed before that hour, that he could give them no further assistance. The time was fast flying, when Bahaldie, the commander of the storming party, persuaded the sentinel to pull up the grapnel, and make it fast to the battlements, that it might appear whether or not they had length of ladder sufficient to make the attempt. But it proved, as indeed they had expected, more than a fathom too short. At half past eleven o'clock, the steps of the patrol, who had been sent their rounds earlier than usual, owing to the message of the Lord Justice Clerk, were heard approaching, on which the sentinel exclaimed, with an oath, "Here come the rounds I have been telling you of this half-hour; you have ruined both yourself and me; I can serve you no longer." With that he threw down the grappling-iron and ladders, and in the hope of covering his own guilt, fired his musket, and cried "Enemy!" Every man was then compelled to shift for himself, the patrol firing on them from the wall. Twelve soldiers of the

burgher guard, who had been directed by the Lord Justice Clerk to make the round of the Castle on the outside, took prisoners three youths, who insisted that they were found there by mere accident, and an old man, Captain MacLean, an officer of James VII., who was much bruised by a fall from the rocks. The rest of the party escaped alongst the north bank of the North Loch, through the fields called Barefoord's Parks, on which the New Town of Edinburgh now stands. In their retreat they met their tardy engineer, Charles Forbes, loaded with the ladders which were so much wanted a quarter of an hour before. Had it not been for his want of punctuality, the information and precautions of the Lord Justice Clerk would have been insufficient for the safety of the place. It does not appear that any of the conspirators were punished, nor would it have been easy to obtain proof of their guilt. The treacherous sergeant was hanged by sentence of a court-martial, and the deputy-governor

(whose name of Stewart might perhaps aggravate the suspicion that attached to him,) was deprived of his office, and imprisoned for some time.

It needed not this open attack on the Castle of Edinburgh, or the general news of Lord Mar's Highland armament, and the rising of the disaffected gentlemen in arms throughout most of the counties of Scotland, to call the attention of King George's Government to the disturbed state of that part of his dominions. Measures for defence were hastily adopted. The small number of regular troops who were then in Scotland were concentrated, for the purpose of forming a camp at Stirling, in order to prevent the rebels from seizing the bridge over the Forth, and thereby forcing their way into the Low country. But four regiments, on the peace establishment, only mustered two hundred and fifty-seven men each; four regiments of dragoons were considerably under two hundred to a regiment—a total of only fifteen hundred men at the utmost.

To increase these slender forces, two regiments of dragoons, belonging to the Earl of Stair, with two regiments of foot quartered in the north of England, were ordered to join the camp at Stirling with all possible dispatch. The foot regiments of Clayton and Wightman, with the dragoons of Evans, were recalled from Ireland. The six thousand auxiliary forces with whom the Dutch had engaged, in case of need, to guarantee the succession of the House of Hanover, were required of the States, who accordingly ordered the Scotch regiments in their service to march for the coast, but excused themselves from actually embarking them, in consequence of the French ambassador having disowned, in the strongest manner, any intent on the part of his court to aid the factions in England by sending over the Pretender to Britain, or to assist those who were in arms in his behalf. The Dutch alleged this as a sufficient reason for suspending the shipment of these auxiliaries.

Besides these military measures, the Ministers of George I. were not remiss in taking such others as might check the prime cause of rebellions in Scotland, namely, that feudal influence possessed by the aristocracy over their vassals, tenants, and dependents, by which the great men, when disgraced or disappointed, had the power of calling to arms, at their pleasure, a number of individuals, who, however unwilling they might be to rise against the Government, durst not, and could not, without great loss and risk of oppression, oppose themselves to their superior's pleasure.

On the 30th of August, therefore, an act was passed for the purpose of encouraging loyalty in Scotland, a plant which of late years had not been found to agree with the climate of that cold and northern country, or at least, where found to luxuriate, it was of a nature different from that known by the same name at Westminster.

This statute, commonly called the Clan

Act, enacted, That if a feudal superior went into rebellion, and became liable to the pains of high treason, all such vassals holding lands under him, as should continue in their allegiance, should in future hold these lands of the Crown. 2. If a tenant should have remained at the King's peace while his landlord had been engaged in rebellion, and convicted of treason, the space of two years' gratuitous possession should be added to that tenant's lease. 3. If the superior should remain loyal and peaceful while the vassal should engage in rebellion, and incur conviction of high treason, then the fief, or lands held by such vassal, shall revert to the superior as if they had never been separated from his estate. 4. Another clause declared void such settlements of estates and deeds of entail as might be made on the 1st day of August, 1714, or at any time thereafter, declaring that they should be no bar to the forfeiture of the estates for high treason, seeing that such settlements had been frequently resorted to for the sole

purpose of evading the punishment of the law.

This remarkable act was the first considerable step towards unloosing the feudal fetters, by which the command of the superior became in some measure the law of the vassal. The clause concerning settlements and entails was also important, and rendered nugatory the attempts which had been frequently made to evade the punishment of forfeiture, by settlements made previous to the time when those who granted the deeds engaged in rebellion. Such deeds as were executed for onerous causes, that is, for value of some kind received, were justly excepted from the operation of this law.

There was, moreover, another clause, empowering the Crown to call upon any suspected person or persons in Scotland to appear at Edinburgh, or where it should be judged expedient, for the purpose of finding bail, with certification that their failure to appear should subject them to be put to the horn as rebels, and that they should incur

the forfeiture of the liferent escheat. Immediately afterwards, summonses were issued to all the noblemen and gentlemen either actually in arms, or suspected of favouring the Jacobite interest, from the Earl of Mar and his compeers, down to Rob Roy MacGregor, the celebrated outlaw. The list amounted to about fifty men of note, of which only two, Sir Patrick Murray, and Sir Alexander Erskine, thought proper to surrender themselves.

Besides these general measures, military resistance to the expected rebellion was prepared in a great many places, and particularly in borough-towns and seaports. It is here to be remarked, that a great change had taken place among the bulk of the people of Scotland, from the ill-humour into which they had been put by the conclusion of the Union treaty. At that time, such were the effects of mortified pride, popular apprehension, and national antipathy, that the populace in every town and

country would have arisen to place the Pretender on the throne, notwithstanding his professing the Catholic religion, and being the grandson of James VII., of whose persecutions, as well as those in the time of his predecessor, Charles II., the Presbyterians of the west nourished such horrible recollections. Accordingly, we have seen that it was only by bribing their chiefs, and deceiving them by means of adroit spies, that the Cameronians, the most zealous of Presbyterians, who disowned the authority of all magistrates who had not taken the Solemn League and Covenant, were prevented from taking arms to dissolve the Union Parliament, and to declare for the cause of James III. But it happened with the Union, as with other political measures, against which strong prejudices have been excited during their progress:—the complication of predicted evils were so far from being realized, that the opponents of the treaty began to be ashamed of having entertained such ap-

prehensions. None of the violent changes which had been foretold, none of the universal disgrace and desolation which had been anticipated in consequence, had arisen from that great measure. The enforcing of the Malt Tax was the most unpopular, and that impost had been for the time politically suspended. The shopkeepers of Edinburgh, who had supplied the peers of Scotland with luxuries, had found other customers, now that the aristocracy were resident in London, or they had turned their stock into other lines of commerce. The ideal consequence of a legislature of their own holding its sittings in the metropolis of Scotland, was forgotten when it became no longer visible, and the abolition of the Scottish Privy Council might, on calm reflection, be considered as a national benefit rather than a privation. In short, the general resentment excited by the treaty of Union, once keen enough to suspend all other motives, was a paroxysm too violent to last—men re-

covered from it by slow degrees, and though it was still predominant in the minds of some classes, yet the opinions of the lower orders in general had in a great measure returned to their usual channel, and men entertained in the south and west, as well as in many of the boroughs, their usual wholesome horror for the Devil, the Pope, and the Pretender, which, for a certain time had been overpowered and lost in their apprehensions for the independence of Scotland.

In 1715, also, the merchants and better class of citizens, who began to entertain some distant views of enriching themselves by engaging in the commerce of the plantations, and other lucrative branches of trade, opened up by the Union, were no longer disposed to see any thing tempting in the proposal of Mar and his insurgents, to destroy the treaty by force; and were, together with the lower classes, much better disposed to listen to the expostulations of

the presbyterian clergy, who, sensible of what they had to expect from a counter-revolution, exerted their influence, generally speaking with great effect, in support of the present government of King George. The fruits of this change in the temper and feelings of the middling and lower classes, were soon evident in the metropolis and throughout Scotland. In Edinburgh, men of wealth and substance subscribed a bond of association, in order to raise subscriptions for purchasing arms and maintaining troops; and a body of the subscribers themselves formed a regiment, under the name of the Associate Volunteers of Edinburgh. They were four hundred strong. Glasgow, with a prescient consciousness of the commercial eminence which she was to attain by means of the treaty of Union, contributed liberally in money to defend the cause of King George, and raised a good regiment of volunteers. The western counties of Renfrew and Ayrshire offered four thousand men, and the Earl of Glasgow a re-

giment of a thousand at his own charge. Along the Border, the Whig party were no less active. Dumfries distinguished itself, by raising among the inhabitants seven volunteer companies of sixty men each. This was the more necessary, as an attack was apprehended from the many Catholics and disaffected gentlemen who resided in the neighbourhood. The eastern part of Teviotdale supplied the Duke of Roxburgh, Sir William Bennet of Grubet, and Sir John Pringle of Stitchel, with as many men as they could find arms for, being about four companies. The upper part of the county, and the neighbouring shire of Selkirk, were less willing to take arms. The hatred of the Union still prevailed amongst them more than elsewhere, inflamed, probably, by the very circumstance of their vicinity to England, and the recollection of the long wars betwixt the kingdoms. The Cameronian preachers, also, had possessed many speculative shepherds with their whimsical and chimerical doubts concerning

the right of uncovenanted magisrtates to exercise an authority even in the most urgent case of national emergency. This doctrine was as rational as if the same scrupulous persons had discovered that it was unlawful to use the assistance of firemen during a conflagration, because they had not taken the Solemn League and Covenant. These scruples were not universal, and assumed as many different hues and shades as there were popular preachers to urge them; they tended greatly to retard and embarrass the exertions of government to prepare for defence in these districts. Even the popularity of the Reverend Thomas Boston, an eminent divine of the period, could not raise a man for the service of government out of his parish of Ettrick.

Notwithstanding, however, partial exceptions, the common people of Scotland, who were not overawed by Jacobite landlords, remained generally faithful to the Protestant line of succession, and showed readiness to arm in its behalf.

Having thus described the preparations for war, on both sides, we will, in the next Chapter, relate the commencement of the campaign.

## CHAP. VII.

*Raising of the Standard for the Chevalier de St George, and Proclamation of him as James VIII. of Scotland, and III. of England and Ireland—Capture of Perth by the Jacobites—Character of Mar's Army—Incapacity of Mar as a General—Plan of an Expedition into the Low Country.*

On the 6th September 1715, the noblemen, chiefs of clans, gentlemen, and others, with such followers as they could immediately get in readiness, assembled at Aboyne; and the Earl of Mar, acting as General on the occasion, displayed the royal standard, at Castleton, in Braemar; and proclaimed, with such solemnity as the time and place admitted, James King of Scotland,

by the title of James VIII. and King of England, Ireland, and their dependencies, by that of James III. The day was stormy; and the gilded ball which was on the top of the standard spear was blown down,—a circumstance which the superstitious Highlanders regarded as ominous of ill fortune; while others called to mind, that by a strange coincidence, something of the same kind happened in the evil hour when King Charles set up his standard at Nottingham.

After this decisive measure, the leaders of the insurgents separated to proclaim King James in the towns where they had influence, and to raise as many followers as each could possibly command, in order to support the daring defiance which they had given to the established government.

It was not by the mildest of all possible means that a Highland following, as it is called, was brought into the field at that period. Many vassals were, indeed, prompt and ready for service, for which their educa-

tion and habits prepared them. But there were others who were brought to their chief's standard by much the same enticing mode of solicitation used in our own day for recruiting the navy, and there were many who conceived it prudent not to stir without such a degree of compulsion as might, in case of need, serve as some sort of apology for having been in arms at all. On this raising the clans in the year 1715, the fiery cross was sent through the districts or countries, as they are termed, inhabited by the different tribes. This emblem consisted of two branches of wood, in the form of a cross, one end singed with fire, and the other stained with blood. The inhabitants transmitted the signal from house to house with all possible speed, and the symbol implied, that those who should not appear at a rendezvous which was named when the cross was presented, should suffer the extremities of fire and sword. There is an intercepted letter of Mar himself, to John Forbes of Increrau, bailie of his lordship of Kildrummie, which

throws considerable light on the nature of a feudal levy:—

"You were right, Jackie," said the lord to his official, "not to come with the hundred men you sent up last night, when I expected four times their numbers. It is a pretty thing my own people should be refractory, when all the Highlands are rising, and all the Lowlands are expecting us to join them. I send you enclosed an order for the Lordship of Kildrummie, which you will immediately intimate to all my vassals. If they give ready obedience, it will make some amends, and if not, ye may tell them from me, that it will not be in my power to save them (were I willing) from being treated as enemies by those that are soon to join me; and they may depend upon it that I will be the first to propose and order their being so. Particularly, let my own tenants in Kildrummie know, that if they come not forth with their best arms, I will send a party immediately to burn what they shall miss taking from them. And they may believe this

only a threat,—but by all that's sacred, I'll put it in execution, let my loss be what it will, that it may be an example to others. You are to tell the gentlemen that I expect them in their best accoutrements on horseback, and no excuse to be accepted of."

This remarkable letter is dated three days after the displaying of the standard. The system of social life in the Highlands, has, when viewed through the vista of years, much in it that is interesting and poetical; but few modern readers will desire to exchange conditions with a resident within the romantic bounds of Mar's Lordship of Kildrummie, where such were liable to a peremptory summons to arms, thus rudely enforced.

Proceeding towards the Lowlands by short marches, Mar paused at the small town of Kirkmichael, and afterwards at Mouline in Perthshire, moving slowly that his friends might have leisure to assemble for his support. In the meantime, King James was proclaimed at Aberdeen by the Earl Marischal, at Dunkeld by the Marquis of Tulli-

bardine, contrary to the wishes of his father, the Duke of Athole, at Castle Gordon by the Marquis of Huntly, at Brechin by the Earl of Panmure, a rich and powerful nobleman, who had acceded to the cause since the rendezvous at the Braemar hunting. The same ceremony was performed at Montrose by the Earl of Southesk, at Dundee by Graham of Duntroon, of the family of the celebrated Claverhouse, and to whom King James had given that memorable person's title of Viscount of Dundee, and at Inverness by the Laird of Borlum, commonly called Brigadier MacIntosh, from his having held that rank in the service of France. This officer made a considerable figure during the Rebellion, in which he had influence to involve his chief and clan, rather contrary to the political sentiments of the former; he judged that Inverness was a station of importance, and therefore left a garrison to secure it from any attack on the part of the Grants, Monroes, or other Whig clans in the vicinity.

The possession of the town of Perth now

became a point of great importance, as forming the communication between the Highlands and the Lowlands, and being the natural capital of the fertile countries on the margin of the Tay. The citizens were divided into two parties, but the magistrates, who, at the head of one part of the inhabitants, had declared for King George, took arms and applied to the Duke of Athole, who remained in allegiance to the ruling monarch, for a party to support them. The Duke sent them three or four hundred Athole Highlanders, and the inhabitants conceived themselves secure, especially as the Earl of Rothes, having assembled about four hundred militia men, was advancing from Fife to their support. The honourable Colonel John Hay, brother to the Earl of Kinnoul, took, however, an opportunity to collect together some fifty or a hundred horse from the gentlemen of Stirling, Perthshire, and Fife, and marched towards the town. The Tory burghers, who were not inferior in numbers, began to assume courage as these succours appeared, and the gar-

rison of Highlanders knowing that although the Duke of Athole remained attached to the government, his eldest son was in the Earl of Mar's army, gave way to their own inclinations, which were decidedly Jacobitical, and joined Colonel Hay, for the purpose of disarming the Whig burghers, to whose assistance they had been sent. Thus Perth, by a concurrence of accidents, fell into the hands of the insurgent Jacobites, and gave them the command of all the Lowlands in the east part of Scotland. Still, as the town was but slightly fortified, it might have been recovered by a sudden attack, if a detachment had been made for that purpose, from the regular camp at Stirling. But General Whetham, who as yet commanded there, was not an officer of activity. He was indeed superseded in his command by the Duke of Argyle, commander-in-chief in Scotland, who came to Stirling on the 14th September; but the opportunity of regaining Perth no longer existed. The town had been speedily reinforced, and secured for the Jacobite interest, by about two

hundred men, whom the Earl of Strathmore had raised to join the Earl of Mar, and a body of Fifeshire cavalry who had arrayed themselves for the same service under the Master of Sinclair. Both these noblemen were remarkable characters.

The Earl of Strathmore, doomed to lose his life in this fatal broil, was only about eighteen years old, but at that early age he exhibited every symptom of a brave, generous, and modest disposition, and his premature death disappointed the most flourishing hopes. He engaged in the Rebellion with all the zeal of sincerity, raised a strong regiment of Lowland infantry, and distinguished himself by his attention to the duties of a military life.

The Master of Sinclair, so called because the eldest son of Henry seventh Lord Sinclair, had served in Marlborough's army with good reputation; but he was especially remarkable for having, in the prosecution of an affair of honour, slain two gentlemen of the name of Shaw, brothers to Sir John

Shaw of Greenock, and persons of rank and consequence. He was tried by a court-martial, and condemned to death, but escaped from prison, not without the connivance of the Duke of Marlborough himself. As the Master of Sinclair's family were Tories, he obtained his pardon on the accession of their party to power in 1712. In 1715, he seems to have taken arms with great reluctance, deeming the cause desperate, and having no confidence in the probity or parts of the Earl of Mar, who assumed the supreme authority. He was a man of a caustic and severe turn of mind, suspicious and satirical, but acute and sensible. He has left Memoirs behind him, curiously illustrative of the ill-fated enterprise in which he was engaged, and of which he seems totally to have despaired long before its final termination.

That part of the Earl of Mar's forces which lay in the eastern and north-eastern parts of Scotland, were now assembled at Perth, the most central place under his au-

thority. They amounted to four or five thousand men, and although formidable for courage and numbers, they had few other qualities necessary to constitute an army. They wanted a competent general, money, arms, and ammunition, regulation and discipline; above all, a settled purpose and object of the campaign. On each of these deficiencies, and on the manner and degree in which they were severally supplied, I will say a few words, so as to give you some idea of this tumultuary army, before proceeding to detail what they did, and what they left undone.

There can be no doubt, that from the time he embarked in this dangerous enterprise, Mar had secretly determined to put himself at the head of it, and gratify at once his ambition and his revenge. But it does not appear that at first he made any pretensions to the chief command. On the contrary, he seemed willing to defer to any person of higher rank than his own. The Duke of Gordon would have been a natu-

ral choice, from his elevated rank and great power. But, besides that he had not come out in person, though it was not doubted that he approved of his son's doing so, the Duke was a Catholic, and it was not considered politic that Papists should hold any considerable rank in the enterprise, as it would have given rise to doubts among their own party, and reproaches from their opponents. Finally, the Duke, being one of the suspected persons summoned by government to surrender himself, obeyed the call, and was appointed to reside at Edinburgh on his parole. The Duke of Athole had been a leader of the Jacobites during the disputes concerning the Union, and had agreed to rise had the French descent taken place in 1707. Upon him, it is said, the Earl of Mar offered to devolve the command of the forces he had levied. But the Duke refused the offer at his hands. He said, that if the Chevalier de St George had chosen to impose such a responsible charge upon him, he would have opened a direct

communication with him personally; and he complained that Mar, before making this proposal to him, had intrigued in his family; having instigated his two sons, the Marquis of Tullibardine and Lord Charles Murray, as well as his uncle Lord Nairne, to take arms without his consent, and made use of them to seduce the Athole men from their allegiance to their rightful lord. He therefore declined the offer which was made to him of commanding the forces now in rebellion, and Mar retained, as if by occupancy, the chief command of the army. As he was brave, high-born, and possessed of very considerable talent, and as his late connexion with the chiefs of Highland clans, while distributor of Queen Anne's bounty, rendered him highly acceptable to them, his authority was generally submitted to, especially as it was at first supposed that he acted only as a *locum tenens* for the Duke of Berwick, whose speedy arrival had been announced. Time passed on, however, the Duke came not, and the Earl of Mar con-

tinued to act as commander-in-chief, until confirmed in it, as we shall learn, by an express commission from the Chevalier de St George. As the Earl was unacquainted with military affairs, he used the experience of Lieutenant-General Hamilton and Clephane of Carslogie, who had served during the late war, to supply his deficiencies in that department. But though these gentlemen had both courage, zeal, and warlike skill, they could not assist their principal in what his own capacity could not attain to—the power of forming and acting upon a decided plan of tactics.

Money was also much wanted, and was but poorly supplied by such sums as the wealthier adherents of the party could raise among themselves. Some of the gentlemen had indeed means of their own, but as their funds became exhausted, they were under the necessity of returning home for more; which was with some the apology for absence from their corps much longer and more frequently than was consistent

with discipline. But the Highlanders and Lowlanders of inferior rank, could not subsist, or be kept within the bounds of discipline, without regular pay of some kind. Lord Southesk gave five hundred pounds, and the Earl of Panmure the same sum, to meet the exigencies of the moment. Aid was also solicited and obtained from various individuals, friendly to the cause, but unequal, from age or infirmity, to take the field in person; and there were many prudent persons, no doubt, who thought it the wisest course to sacrifice a sum of money, which, if the insurrection were successful, would give them the merit of having aided it, while, if it failed, their lives and estates were secured from the reach of the law against treason. Above all, the insurgents took especial care to secure all the public money that was in the hands of collectors of taxes, and other public officers, and to levy eight months cess wherever their presence gave them the authority. At length, considerable supplies of money were received

from France, which in a great measure relieved their wants in that particular. Lord Drummond was appointed to be treasurer to the army.

Arms and ammunition were scarce amongst the insurgents. The Highland clans were, indeed, tolerably armed with their national weapons; but the guns of the Lowlanders were in wretched order, and in a great measure unfit for service. The success of an expedition in some degree remedied this important deficiency.

Among other northern chiefs who remained faithful to George I., amidst the general defection, was the powerful Earl of Sutherland, who, on the news of the insurrection, had immediately proceeded by sea to his Castle of Dunrobin, to collect his vassals. In order that they might be supplied with arms, a vessel at Leith was loaded with firelocks, and other weapons, and sailed for the Earl's country. The wind, however, proving contrary, the master of the ship dropped anchor at Burntisland, on the Fife

shore of the Frith of Forth, of which he was a native, that he might have an opportunity to see his wife and children before his departure.

The Master of Sinclair, formerly mentioned, whose family estate and interest lay on the shores of the Frith, got information of this circumstance, and suggested a scheme of seizing on these arms, which argued talent and activity, and was the first symptom which the insurgents had given of either one or other. The Master of Sinclair, with about fourscore troopers, and carrying with him a number of baggage-horses, left Perth about nightfall, and, to baffle observation, took a circuitous road to Burntisland. He arrived in the little seaport with all the effect of a complete surprise, and though the bark had hauled out of the harbour into the roadstead, he boarded her by means of boats, possessing himself of all the arms, which amounted to three hundred. Mar, as had been agreed upon, protected the return of the detachment by advancing a body of five hundred High-

landers as far as Auchtertoole, half-way between Perth and Burntisland. On this occasion, the Master of Sinclair, an old officer, and acquainted with the usual discipline of war, was greatly annoyed by the disorderly conduct of the volunteer forces whom he commanded. He could not prevail on the gentlemen of his squadron to keep watch with any vigilance, nor prevent them from crowding into alehouses to drink. In returning homeward, several of them broke off without leave, either to visit their own houses which were near the road, or to indulge themselves in the pleasure of teazing the Presbyterian ministers who lay in their way. When he came to Auchtertoole, the disorder was yet greater. The Highland detachment, many of them Mar's own men from Dee-side, had broken their ranks, and were dispersed over the country, pillaging the farm-houses; when Sinclair got a Highland officer to command them to desist and return, they refused to obey, nor was there any means of bringing them off, save by spreading a report that

the enemy's dragoons were approaching, on which they drew together with wonderful celerity, and submitted to be led back to Perth with the arms that had been seized, which went some length to remedy the scarcity of that most important article in the insurgent army.

A greater deficiency even than that of arms, was the want of a general capable to form the plan of a campaign, suitable to his situation and the character of his troops, and then to carry it into effect with firmness, celerity, and decision. Generals Hamilton and Gordon, both in Mar's army, were men of some military experience, but totally void of that comprehensive genius which combines and executes the manœuvres of a campaign; and Mar himself, as already intimated, seems to have been unacquainted even with the mere mechanical part of the profession. He appears to have thought that the principal part of his work was done when the insurrection was set on foot, and that being once effected, that it would carry itself on, and the rebels would

increase in such numbers, that resistance to them must become impossible. The greater part of the Jacobites in East Lothian were, he knew, ready to take horse; so were those of the counties of Dumfries and Lanark; but they were separated from his army by the Frith of Forth, and were likely to require assistance from him, in order to secure protection when they assembled their followers. Montrose, or Dundee, with half the men whom Mar had already under him, would have marched without hesitation towards Stirling, and compelled the Duke of Argyle, who had not as yet quite two thousand men, either to fight or retreat, which must have opened the Lowlands and the Borders to the operations of the insurgents. But such was the reputation of the Duke, that Mar resolved not to encounter him until he should have received all the reinforcements from the north and west which he could possibly expect, in the hope, by assembling an immense superiority of force, to counterbalance the acknowledged military skill of his distinguished opponent.

As, however, it was essential to the Earl of Mar's purpose, to spread the flame of insurrection into the Lowlands, he determined not to allow the check which Argyle's forces and position placed on his movements, to prevent his attempting a diversion by passing at all hazards a considerable detachment of his army into Lothian, to support and encourage his Jacobite friends on the opposite side. His proposal was to collect small vessels and boats on the Fife side of the Frith, and dispatch them across with a division of his army, who were to land on such part of the coast of East Lothian as the wind should render most convenient, and unite themselves with the malecontents wherever they might find them in strength. But ere noticing the fate of this expedition, we must leave Mar and his army, to trace the progress of the insurrection in the south of Scotland and the north of England, where it had already broken out.

## CHAP. VIII.

*Progress of Insurrection in the South of Scotland —Catastrophe in the Family of Hepburn of Keith—Rising of the Jacobites of the Western Frontier, under Kenmure, and of those of the North of England, under Forster—Junction of Kenmure's Party with that of Forster—Reinforcements join Mar at Perth, his head-quarters—Delay in the Rising of the Western Clans —Procrastination of Mar—Descent of MacIntosh upon Lothian—Junction of MacIntosh with Kenmure and Forster at Kelso—They hold a Council, to decide on their plan of Operations.*

THE reports of invasion from France—of King James's landing with a foreign force, abundance of arms, ammunition, and treasure, and the full purpose to reward his friends and chastise his enemies—the same

exaggerated intelligence from England, concerning general discontent and local insurrection, which had raised the north of Scotland in arms—had their effect also on the gentlemen of Jacobite principles in the south of that country, and in the contiguous frontiers of England, where a number of Catholic families, and others devoted to the exiled family, were still to be found. Ere the hopes inspired by such favourable rumours had passed away, came the more veracious intelligence, that the Earl of Mar had set up James's standard in the Highlands, and presently after, that he had taken possession of Perth—that many noblemen of distinguished rank and interest had joined his camp, and that his numbers were still increasing.

These reports gave a natural impulse to the zeal of men, who, having long professed themselves the liege subjects of the Stewart family, were ashamed to sit still when a gallant effort was made to effect their restoration, by what was reported to be,

and in very truth was, a very strong party, and an army much larger than those commanded by Montrose or Dundee, and composed chiefly of the same description of troops at the head of whom they had gained their victories. The country, therefore, through most of its districts, was heaving with the convulsive throes which precede civil war, like those which announce an earthquake. Events hurried on to decide the doubtful and embolden the timorous. The active measures resolved on by government, in arresting suspected persons throughout England and the southern parts of Scotland, obliged the professed Jacobites to bring their minds to a resolution, and either expose their persons to the dangers of civil war, or their characters to the shame of being judged wanting in the hour of action, to all the protestations which they had made in those of safety and peace.

These considerations decided men according to their characters, some to submit themselves to imprisonment, for the safety of

their lives and fortunes—others to draw the sword, and venture their all in support of their avowed principles. Those gentlemen who embraced the latter course, more honourable, or more imprudent perhaps, began to leave their homes, and drew together in such bodies as might enable them to resist the efforts of the magistrates, or troops sent to arrest them. The civil war began by a very tragical rencounter in a family, with the descendants of which your grandfather has long enjoyed peculiar intimacy, and of which I give the particulars after the account preserved by them, though it is also mentioned in most histories of the times.

Among other families of distinction in East Lothian, that of Mr Hepburn of Keith was devotedly attached to the interests of the House of Stewart, and he determined to exert himself to the utmost in the approaching conflict. He had several sons, with whom, and his servants, he had determined to join a troop to be raised in East Lothian, and commanded by the Earl of Winton.

This gentleman being much respected in the county, it was deemed of importance to prevent his showing an example which was likely to be generally followed. For this purpose, Mr Hepburn of Humbie and Dr Sinclair of Hermandston resolved to lay the Laird of Keith under arrest, and proceeded towards his house with a party of the horse-militia, on the morning of the 8th of October, 1715, which happened to be the very morning that Keith had appointed to set forth on his campaign, having made all preparations on the preceding evening. The family had assembled for the last time at the breakfast-table, when it was observed that one of the young ladies looked more sad and disconsolate, than even the departure of her father and brothers upon a distant and precarious expedition seemed to warrant at that period, when the fair sex were as enthusiastic in politics as the men.

Miss Hepburn was easily induced to tell the cause of her fears. She had dreamed

she saw her youngest brother, a youth of great hopes, and generally esteemed, shot by a man whose features were impressed on her recollection, and stretched dead on the floor of the room in which they were now assembled. The females of the family listened and argued—the men laughed, and turned the visionary into ridicule. The horses were saddled, and led out into the court-yard, when a mounted party was discovered advancing along the flat ground, in front of the mansion-house, called the Plain of Keith. The gate was shut; and when Dr Sinclair, who was most active in the matter, had announced his purpose, and was asked for his warrant, he handed in at a window the commission of the Marquis of Tweeddale, Lord Lieutenant of the county. This Keith returned with contempt, and announced that he would stand on his defence. The party within mounted their horses, and sallied out, determined to make their way; and Keith, discharging a pistol in the air, charged the Doctor sword in hand; the mi-

litia then fired, and the youngest of the Hepburns was killed on the spot. The sister beheld the catastrophe from the windows, and to the end of her life persisted that the homicide had the features of the person whom she saw in her dream. The corpse was carried into the room where they had so lately breakfasted, and Keith, after having paid this heavy tax to the demon of civil war, rode off with the rest of his party to join the insurgents. Dr Sinclair was censured very generally, for letting his party zeal hurry him into a personal encounter with so near a neighbour and familiar friend; he vindicated himself, by asserting that his intentions were to save Keith from the consequences into which his rash zeal for the Stewart family was about to precipitate that gentleman and his family. But Dr Sinclair ought to have been prepared to expect, that a high-spirited man, with arms in his hands, was certain to resist this violent mode of opening his eyes to the rashness of his conduct; and he who attempts

to make either religious or political converts by compulsion, must be charged with the consequences of such violence as is most likely to ensue.

Mr Hepburn and his remaining sons joined the Jacobite gentry of the neighbourhood, to the number of fifty or sixty men, and directed their course westward towards the Borders, where a considerable party were in arms for the same cause. The leader of the East Lothian troop was the Earl of Winton, a young nobleman twenty-five years old, said to be afflicted by a vicissitude of spirits approaching to lunacy. His life had been marked by some strange singularities, as that of his living a long time as bellows-blower and assistant to a blacksmith in France, without holding any communication with his country or family. But, if we judge from his conduct in the rebellion, Lord Winton appears to have displayed more sense and prudence than most of those engaged in that unfortunate affair.

This Lothian insurrection soon merged

in the two principal southern risings, which took place in Dumfries-shire and Galloway in Scotland, and in Northumberland and Cumberland in England.

On the western frontier of Scotland, there were many families not only Jacobites in politics, but Roman Catholics in religion; and therefore bound by a double tie to the heir of James II., who, for the sake of that form of faith, may be justly thought to have forfeited his kingdoms. Among the rest, the Earl of Nithisdale, combining in his person the representation of two noble families, those of the Lord Herries and the Lord Maxwell, might be considered as the natural leader of the party. But William, Viscount Kenmure, in Galloway, a Protestant, was preferred as chief of the enterprise, as it was not thought prudent to bring Catholics too much forward in the affair, on account of the scandal to which their promotion might give rise. Many neighbouring gentlemen were willing to throw themselves and their fortunes into

the same adventure in which Nithisdale and Kenmure stood committed. The latter was a man of good sense and resolution, well acquainted with civil affairs, but a total stranger to the military art.

In the beginning of October, the plan of insurrection was so far ripened, that the gentlemen of Galloway, Nithisdale, and Annandale, proposed by a sudden effort to possess themselves of the county town of Dumfries. The town was protected on the one side by the river Nith; on the others it might be considered as open. But the zeal of the inhabitants, and of the Whig gentlemen of the neighbourhood, baffled the enterprise, which must otherwise have been attended with credit to the arms of the insurgents. The Lord Lieutenant and his deputies collected the fencible men of the county, and brought several large parties into Dumfries, to support, if necessary, the defence of the place. The provost, Robert Corbett, Esq. mustered the citizens, and putting himself at their head, harangued

them in a style peculiarly calculated to inspire confidence. He reminded them that their laws and religion were at stake, and that their cause resembled that of the Israelites, when led by Joshua against the unbelieving inhabitants of the land of Canaan.

"Nevertheless," said the considerate Provost of Dumfries; "as I, who am your unworthy leader, cannot pretend to any divine commission like that of the son of Nun, I do not take upon me to recommend the extermination of your enemies, as the judge of Israel was commanded to do by a special revelation. On the contrary, I earnestly entreat you to use your assured victory with clemency, and remember, that the misguided persons opposed to you are still your countrymen and brethren." This oration, which, instead of fixing the minds of his followers on a doubtful contest, instructed them only how to make use of a certain victory, had a great effect in encouraging the bands of the sagacious provost, who, with

their auxiliaries from the country, drew out and took a position to cover the town of Dumfries.

Lord Kenmure marched from Moffat, with about a hundred and fifty horse, on Wednesday the 13th of October, with the purpose of occupying Dumfries. But finding the friends of government in such a state of preparation, he became speedily aware that he could not with a handful of cavalry propose to storm a town, the citizens of which were determined on resistance. The Jacobite gentlemen, therefore, retreated to Moffat, and thence to Langholm and Hawick. From thence they took their departure for the eastward, to join the Northumberland gentlemen who were in arms in the same cause, and towards whom we must now direct our attention.

In England, a very dangerous and extensive purpose of insurrection certainly existed shortly after the Queen's death; but the exertions of government had been so great in all quarters, that it was every

where disconcerted or suppressed. The University of Oxford was supposed to be highly dissatisfied at the accession of the House of Hanover; and there, as well as at Bath, and elsewhere in the west, horses, arms, and ammunition, were seized in considerable quantities, and most of the Tory gentlemen who were suspected of harbouring dangerous intentions, were either arrested, or delivered themselves up on the summons of government. Amongst these was Sir William Wyndham, one of the principal leaders of the High Church party.

In Northumberland and Cumberland, the Tories, at a greater distance from the power of the government, were easily inclined to action; they were, besides, greatly influenced by the news of the Earl of Mar's army, which, though large enough to have done more than it ever attempted, was still much magnified by common fame. The unfortunate Earl of Derwentwater, who acted so prominent a part in this shortlived struggle, was by birth connected with the exiled

royal family; his lady also was a bigot in their cause; and the Catholic religion, which he professed, made it almost a crime in this nobleman to remain peaceful on the present occasion. Thomas Forster of Bamborough, member of Parliament for the county of Northumberland, was equally attached to the Jacobite cause; being a Church-of-England man, he was adopted as the commander-in-chief of the insurrection, for the same reason that the Lord Kenmure was preferred to the Earl of Nithisdale in the command of the Scottish levies. Warrants being issued against the Earl of Derwentwater and Mr Forster, they absconded, and lurked for a few days among their friends in Northumberland, till a general consultation could be held of the principal northern Tories, at the house of Mr Fenwick of Bywell; when, as they foresaw that, if they should be arrested, and separately examined, they could scarce frame such a defence as might save them from the charge of high treason, they resolved to unite in a body, and

try the chance that fortune might send them. With this purpose they held a meeting at a place called Greenrig, where Forster arrived with about twenty horse. They went from this to the top of a hill, called the Waterfalls, where they were joined by Lord Derwentwater. This reinforcement made them near sixty horse, with which they proceeded to the small town of Rothbury, and from thence to Warkworth, where they proclaimed King James III. On the 10th of October they marched to Morpeth, where they received further reinforcements, which raised them to three hundred horse, the highest number which they ever attained. Some of these gentlemen remained undecided till the last fatal moment, and amongst these was John Hall of Otterburn. He attended a meeting of the quarter sessions, which was held at Alnwick, for the purpose of taking measures for quelling the rebellion, but left it with such precipitation that he forgot his hat upon the bench, and joined the fatal meeting at the Waterfalls.

The insurgents could levy no foot soldiers, though many men offered to join them; for they had neither arms to equip them, nor money to pay them. This want of infantry was the principal cause why they did not make an immediate attack on Newcastle, which had formed part of their original plan. But the town, though not regularly fortified, was surrounded with a high stone-wall, with old-fashioned gates. The magistrates, who were zealous on the side of government, caused the gates to be walled up with masonry, and raised a body of seven hundred volunteers for the defence of the town, to which the keelmen, or bargemen employed in the coal-trade upon the Tyne, made offer of seven hundred more; and, in the course of a day or two, General Carpenter arrived with part of those forces with whom he afterwards attacked the insurgents. After this last reinforcement, the *gentlemen*, as Forster's cavalry were called, lost all hopes of surprising Newcastle. About the same time, however, a beam of success

which attended their arms, might be said just to glimmer and disappear. This was the exploit of a gentleman named Lancelot Errington, who, by a dexterous stratagem, contrived to surprise the small castle, or fort, upon Holy Island, which might have been useful to the insurgents in maintaining their foreign communication. But before Errington could receive the necessary supplies of men and provisions, the governor of Berwick detached a party of thirty soldiers, and about fifty volunteers, who, crossing the sands at low water, attacked the little fort, and carried it sword in hand. Errington was wounded and taken prisoner, but afterwards made his escape.

This disappointment, with the news that troops were advancing to succour Newcastle, decided Forster and his followers to unite themselves with the Viscount Kenmure and the Scottish gentlemen engaged in the same cause. The English express found Kenmure near Hawick, at a moment when his little band of about two hundred men

had almost determined to give up the enterprise. Upon receiving Forster's communication, however, they resolved to join him at Rothbury.

On the 19th of October, the two bodies of insurgents met at Rothbury, and inspected each other's military state and equipments, with the anxiety of mingled hope and apprehension. The general character of the troops was the same, but the Scots seemed the best prepared for action, being mounted on strong hardy horses, fit for the charge, and, though but poorly disciplined, were well armed with the basket-hilted broadswords, then common throughout Scotland. The English gentlemen, on the other hand, were mounted on fleet blood horses, better adapted for the race-course and hunting-field than for action; there was among them a great want of war-saddles, curb-bridles, and, above all, of swords and pistols; so that the Scots were inclined to doubt whether men so well equipped for flight, and so imperfectly prepared for com-

bat, might not, in case of an encounter, take the safer course, and leave them in the lurch. Their want of swords in particular, at least of cutting swords fit for the cavalry service, is proved by an anecdote. It is said, that as they entered the town of Wooler, their commanding officer gave the word, "Gentlemen, you that have got swords, draw them;" to which a fellow among the crowd answered, not irrelevantly, "And what shall they do who have none?" When Forster, by means of one of his captains named Douglas, had opened a direct communication with Mar's army, the messenger stated that the English were willing to have given horses worth L.25, then a considerable price, for such swords as are generally worn by Highlanders.

It may be also here noticed, that out of the four troops commanded by Forster, the two raised by Lord Derwentwater and Lord Widrington were, like those of the Scots, composed of gentlemen, and their relations and dependents. But the third and fourth

troops differed considerably from the others in their composition. The one was commanded by John Hunter, who united the character of a Border farmer with that of a contraband trader; the other by the same Douglas whom we have just mentioned, who was remarkable for his dexterity and success in searching for arms and horses, a trade which he is said not to have limited to the time of the rebellion. Into the troops of these last-named officers, many persons of slender reputation were introduced, who had either lived by smuggling, or by the ancient Border practice of horse-lifting, as it was called. These light and suspicious characters, however, fought with determined courage at the barricades of Preston.

The motions of Kenmure and Forster were now decided by the news, that a detachment from Mar's army had been sent across the Frith of Forth to join them; and this requires us to return to the Northern

insurrection, which was now endeavouring to extend and connect itself with that which had broke out on the Border. The Earl of Mar, it must be observed, had, from the first moment of his arrival at Perth, or at least as soon as he was joined by a disposable force, designed to send a party over the Frith into Lothian, who should encourage the Jacobites in that country to rise; and he proposed to confer this command upon the Master of Sinclair. As, however, this separation of his forces must have considerably weakened his own army, and perhaps exposed him to an unwelcome visit from the Duke of Argyle, Mar postponed his purpose until he should be joined by reinforcements. These were now pouring fast into Perth.

From the North, the Marquis of Huntly, one of the most powerful of the confederacy, joined the army at Perth with foot and horse, Lowlanders and Highlanders, to the amount of nearly four thousand men. The Earl Marischal had the day be-

fore brought up his own power, consisting of about eighty horse. The arrival of these noblemen brought some seeds of dissension into the camp. Marischal, so unlike the wisdom of his riper years, with the indiscretion of a very young man, gave just offence to Huntly, by endeavouring to deprive him of a part of his following.

The occasion was this. The MacPhersons, a very stout, hardy clan, who are called in Gaelic, MacVourigh, and headed by Cluny MacPherson, held some possessions of the Gordon family, and therefore naturally placed themselves under the Marquis of Huntly's banner on the present occasion, although it might be truly said, that in general they were by no means the most tractable vassals. Marischal endeavoured to prevail on this Clan-Vourigh to place themselves under his command instead of that of Huntly, alleging, that as the MacPhersons always piqued themselves on being a distinguished branch of the great confederacy called Clan-Chattan, so was he,

by his name of Keith, the natural chief of the confederacy aforesaid. Mar is said to have yielded some countenance to the claim, the singularity of which affords a curious picture of the matters with which these insurgents were occupied. The cause of Mar's taking part in such a debate was alleged to be, the desire which he had to lower the estimation of Huntly's power and numbers. The MacPhersons, however, considered the broad lands which they held of the Gordon as better reason for rendering him their allegiance, than the etymological arguments urged by the Earl Marischal, and refused to desert the banner under which they had come to the field.

Another circumstance early disgusted Huntly with an enterprise in which he could not hope to gain anything, and which placed in peril a princely estate, and a ducal title. Besides about three squadrons of gentlemen, chiefly of his own name, well mounted and well armed, he had brought into the field a squadron of some fifty

men strong, whom he termed Light Horse, though totally unfit for the service of *petite guerre* which that name implies. A satirist describes them as consisting of great lubberly fellows, in bonnets, without boots, and mounted on long-tailed little ponies, with snaffle-bridles, the riders being much the bigger animals of the two; and instead of pistols, these horsemen were armed with great rusty muskets, tied on their backs with ropes. These uncouth cavaliers excited a degree of mirth and ridicule among the more civilized Southern gentry; which is not surprising, any more than that both the men, and Huntly, their commander, felt and resented such uncivil treatment—a feeling which was gradually increased into a disinclination to the cause in which they had received the indignity.

Besides these Northern forces, Mar also expected many powerful succours from the north-west, which comprehended the tribes termed, during that insurrection, by way of excellence, The Clans. The chiefs of these

families had readily agreed to hold the rendezvous which had been settled at the hunting match of Braemar; but none of them, save Glengarry, were very hasty in recollecting their promise. Of this high chief a contemporary says, it would be hard to say whether he had more of the lion, the fox, or the bear, in his disposition; for he was at least as crafty and rough as he was courageous and gallant. At any rate, both his faults and virtues were consistent with his character, which attracted more admiration than that of any other engaged in Mar's insurrection. He levied his men, and marched to the braes of Glenorchy, where, after remaining eight days, he was joined by the Captain of Clanranald, and Sir John MacLean; who came, the one with the MacDonalds of Moidart and Arisaig; the other with a regiment of his own name, from the Isle of Mull. A detachment of these clans commenced the war by an attempt to surprise the garrison at Inverlochy. They succeeded in taking some

outworks, and made the defenders prisoners, but failed in their attack upon the place, the soldiers being on their guard.

Still, though hostilities were in a manner begun, these western levies were far from complete. Stewart of Appin, and Cameron of Lochiel, would neither of them move; and the Breadalbane men, whose assistance had been promised by the singular Earl of that name, were equally tardy. There was probably little inclination, on the part of those clans who were near neighbours to the Duke of Argyle, and some of them Campbells, to displease that powerful and much-respected nobleman. Another mighty limb of the conspiracy, lying also in the north-western extremity of Scotland, was the Earl of Seaforth, chief of the MacKenzies, who could bring into the field from two to three thousand men of his own name, and that of MacRae, and other clans dependent upon him. But he also was prevented from taking the field and joining Mar, by the operations of the Earl of Sutherland, who, ta-

king the chief command of some of the Northern clans who were disposed to favour government—as, the Monroes, under their chief, Monro of Foulis; the MacKays, under Lord Rae; the numerous and powerful clan of Grant, along with his own following—had assembled a little army, with which he made a demonstration towards the Bridge of Alness. Thus at the head of a body of about twelve or fifteen hundred men, Sutherland was so stationed on the verge of Seaforth's country, that the latter chief could not collect his men, and move southward to join Mar, without leaving his estates exposed to ravage. Seaforth prepared to move, however, so soon as circumstances would admit, for while he faced the Earl of Sutherland with about eighteen hundred men, he sent Sir John MacKenzie of Coull to possess himself of Inverness, Brigadier MacIntosh, by whom it was occupied for James VIII., having moved southward to Perth.

Thus, from one circumstance or another,

the raising of the western clans was greatly delayed; and Mar, whose plan it was not to attempt any thing till he should have collected the whole force together which he could possibly expect, was, or thought himself, obliged to remain at Perth, long after he had assembled an army sufficient to attack the Duke of Argyle, and force his way into the southern part of Scotland, where the news of his success, and the Duke's defeat or retreat, together with the hope of plunder, would have decided those tardy western chieftains, who were yet hesitating whether they should join him or not. Mar, however, tried to influence them by arguments of a different nature, such as he had the power of offering; and dispatched General Gordon to expedite these levies, with particular instructions to seize on the Duke of Argyle's castle at Inverary, and the arms understood to be deposited there. There was afterwards supposed to be some personal spleen, in the Earl's thus beginning direct hostilities against his great oppo-

nent; but it must be said, to the honour of the rebel General, that he resolved not to set the example of beginning with fire and sword; and therefore directed, that though General Gordon might threaten to burn the castle at Inverary, he was on no account to proceed to such extremity without farther orders. His object probably was, besides a desire to possess the arms said to be in the place, to effect a complete breach between the Duke of Argyle and the clans in his vicinity, which must have necessarily been attended with great diminution of the Duke's influence. We shall see presently how far this line of policy appears to have succeeded.

During the currency of these events, Mar received information of the partial rising which had taken place in Northumberland, and the disposition to similar movements which showed itself in various parts of Scotland. It might have been thought, that these tidings would have induced him at length to burst from the sort of con-

finement, in which the small body commanded by Argyle retained so superior an army. If Mar judged that the troops under his command, assembled at Perth, were too few to attack a force which they more than doubled, there remained a plan of manœuvring by which he might encounter Argyle at a yet greater advantage. He might have commanded General Gordon, when he had collected the western clans, who could not amount to fewer than four thousand men, instead of amusing himself at Inverary, to direct their course to the Fords of Frew, by which the river Forth may be crossed above Stirling, and near to its source. Such a movement would have menaced the Duke from the westward, while Mar himself might have advanced against him from the north, and endeavoured to possess himself of Stirling bridge, which was not very strongly guarded. The insurgent cavalry of Lord Kenmure could also have co-operated in such a plan of operations, by advancing from Dumfries to-

wards Glasgow, and threatening the west of Scotland. It is plain that the Duke of Argyle saw the danger of being thus cut off from the western counties, where government had many zealous adherents; for he ordered up five hundred men from Glasgow to join his camp at Stirling; and on the 24th of September, commanded all the regiments of fencibles and volunteers in the west of Scotland to repair to Glasgow, as the most advantageous central point from which to protect the country, and cover his own encampment; and established garrisons at the village of Drymen, and also in several gentlemen's houses adjacent to the Fords of Frew, to prevent or retard any descent of the Highlanders into the Low Country by that pass. But the warlike habits of the Highlanders were greatly superior to those of the raw Lowland levies, whom they would probably have treated with little ceremony.

Nevertheless, the Earl of Mar, far from adopting a plan so decisive, resolved to afford

support to Kenmure and Forster, by his original plan of marching a detachment to their assistance, instead of moving his whole force towards the Lowlands. This, he conceived, might be sufficient to give them the aid and protection of a strong body of infantry, and enable them to strengthen and increase their numbers, whilst the measure allowed him to remain undisturbed at Perth, to await the final result of his intrigues in the Highlands, and those which he had commenced at the court of the Chevalier de St George. There were many and obvious dangers in making the proposed movement. A great inlet of the sea was to be crossed; and if the passage was to be attempted about Dunfermline or Inverkeithing, where the Forth was less broad, it was to be feared that the bustle of collecting boats, and the march of the troops which were to form the detachment, might give warning to the Duke of Argyle of what was intended, who was likely to send a body of his dragoons to surprise and cut the detachment off, on their arrival at the

southern side of the Forth. On the other hand, to attempt the passage over the lower part of the Frith, where vessels were more numerous, and could be assembled with less observation, was to expose the detachment to the uncertainties of a passage of fifteen or eighteen miles across, which was guarded by men-of-war, with their boats and launches, to which the officers of the customs at every seaport had the most strict orders to transmit intelligence of whatever movement might be attempted by the rebels. Upon a choice of difficulties, however, the crossing of the Frith from Pittenweem, Crail, and other towns situated to the eastward on the Fife coast, was determined on.

The troops destined for the adventure, were Mar's own regiment, as it was called, consisting of the Farquharsons, and others from the banks of the Dee—that of the MacIntoshes—those of Lords Strathmore, Nairne, and Lord Charles Murray, all Highlanders, excepting Lord Strathmore's Lowland regiment. They made up in all about

two thousand five hundred men; for in the rebel army the regiments were weak in numbers, Mar having gratified the chiefs, by giving each the commission of colonel, and allowing him the satisfaction to form a battalion out of his own followers, however few in number.

The intended expedition was arranged with some address. Considerable parties of horse traversed Fifeshire in various directions, proclaiming James VIII., and levying the cess of the county, though in very different proportions on those whom they accounted friends or enemies to their cause, their demands upon the latter being both larger, and more rigorously enforced. These movements were contrived to distract the attention of the Whigs, and that of the Duke of Argyle, by various rumours, tending to conceal Mar's real purpose of sending a detachment across the Frith. For the same purpose, when their intention could be no longer concealed, the English men-

of-war were deceived concerning the place where the attempt was to be made. Mar threw troops into the castle of Burntisland, and seemed busy in collecting vessels in that little port. The armed ships were induced by these appearances to slip their cables, and, standing over to Burntisland, commenced a cannonade, which was returned by the rebels from a battery which they had constructed on the outer port of the harbour, with little damage on either side.

By these feints Mar was enabled to get the troops, designed to form the expedition, moved in secrecy down to Pittenweem, the Ely, Crail, and other small ports so numerous on that coast. They were placed under the command of MacIntosh of Borlum, already mentioned, commonly called Brigadier MacIntosh, a Highland gentleman, who was trained to regular war in the French service. He was a bold, rough soldier, but is stated to have degraded the character by a love of plunder which would have better become a lower rank in the

army. But this may have been a false or exaggerated charge.

The English vessels of war received notice of the design, or observed the embarkation from their topmasts, but too late to offer effectual interruption. They weighed anchor, however, at flood-tide, and sailed to intercept the flotilla of the insurgents. Nevertheless, they only captured a single boat, with about forty Highlanders. Some of the vessels were, however, forced back to the Fife coast, from which they came; and the boats which bore Lord Strathmore's Lowland regiment, and others filled with Highlanders, were forced into the island of May, in the mouth of the Forth, where they were blockaded by the men-of-war. The gallant young Earl intrenched himself on the island, and harangued his followers on the fidelity which they owed to the cause; and undertook to make his own faith evident, by exposing his person wherever the peril should prove greatest, and accounting it an honour to die in the ser-

vice of the Prince for whom he had taken arms. Blockaded in an almost desert island, this young nobleman had the additional difficulty of subduing quarrels and jealousies betwixt the Highlanders and his own followers from Angus. These dissensions ran so high, that the Lowlanders resolved to embrace an opportunity to escape from the island with their small craft, and leave the Highlanders to their fate. The proposal was rejected by Strathmore with ineffable disdain, nor would he leave his very unpleasant situation, till the change of winds and waves afforded him a fair opportunity of leading all who had been sharers in his misfortune in safety back to the coast they sailed from.

Meantime the greater part of the detachment designed for the descent upon Lothian, being about sixteen hundred men, succeeded in their desperate attempt, and had landed at North Berwick, Aberlady, Gulan, and other places on the southern shores of the Frith, from whence they marched upon Hadding-

ton, where they again formed a junction, and refreshed themselves for a night, till they should learn the fate of their friends who had not yet appeared. We have not the means of knowing whether MacIntosh had any precise orders for his conduct when he should find himself in Lothian. The dispatches of Mar would lead us to infer that he had instructions, which ought to have directed his march instantly to the Borders, to unite himself with Kenmure and Forster. But he must have had considerable latitude in his orders, since it was almost impossible to frame them in such a manner as to meet, with any degree of precision, the circumstances in which he might be placed, and much must have, of course, been intrusted to his own discretion. The surprise, however, was great, even in the Brigadier's own little army, when, instead of marching southward, as they had expected, they were ordered to face about and advance rapidly on the capital.

This movement Mar afterwards termed

a mistake on the Brigadier's part. But it was probably occasioned by the information which MacIntosh received from friends in Edinburgh, that the capital might be occupied by a rapid march, before it could be relieved by the Duke of Argyle, who was lying thirty miles off. The success of such a surprise must necessarily have given great eclat to the arms of the insurgents, with the more solid advantages of obtaining large supplies both of arms and money, and of intercepting the communication between the Duke of Argyle and the south. It is also probable, that MacIntosh might have some expectation of an insurrection taking place in Edinburgh, on the news of his approach. But, whatever were his hopes and motives, he marched with his small force on the metropolis, 14th October, 1715, and the movement excited the most universal alarm.

The Lord Provost, a gentleman named Campbell, was a man of sense and activity. The instant that he heard of the Highlanders having arrived at Haddington, he sent

information to the Duke of Argyle, and arming the city guard, trained bands, and volunteers, took such precautions as he could to defend the city, which, though surrounded by a high wall, was far from being tenable even against a coup-de-main. The Duke of Argyle, foreseeing all the advantages which the insurgents would gain even from the temporary possession of the capital, resolved on this, as on other occasions, to make activity supply the want of numbers. He mounted two hundred infantry soldiers on country horses, and uniting them with three hundred chosen dragoons, placed himself at their head, and made a forced march from Stirling to relieve Edinburgh. This he accomplished with such rapidity, that he entered the West Port of Edinburgh about ten o'clock at night, just about the same moment that MacIntosh had reached the place where Piershill barracks are now situated, within a mile of the eastern gate of the city. Thus the metropolis, which seemed to be a prey for the

first occupant, was saved by the promptitude of the Duke of Argyle. His arrival spread universal joy among the friends of government, who, from something resembling despair, passed to the opposite extremity of hope and triumph. The town had been reinforced during the day by various parties of horse militia from Berwickshire and Mid-Lothian, and many volunteers, whom the news of the Duke of Argyle's arrival greatly augmented, not so much on account of the number which attended him, as of the general confidence reposed in his talents and character.

The advancing enemy also felt the charm communicated by the Duke's arrival; but to them it conveyed apprehension and dismay, and changed their leader's hopes of success into a desire to provide for the safety of his small detachment, respecting which he was probably the more anxious that the number of the Duke's forces were in all likelihood exaggerated, and besides consisted chiefly of cavalry, respecting whom the

Highlanders entertained at that time a superstitious terror. Moved by such considerations, and turning off the road to Edinburgh, at the place called Jock's Lodge, Brigadier MacIntosh directed his march upon Leith, which he entered without opposition. In the prison of that place he found the forty men belonging to his own detachment who had been taken during the passage, and who were now set at liberty. The Highlanders next took possession of such money and provisions as they found in the Custom House. After these preliminaries, they marched across the drawbridge, and occupied the remains of a citadel, built by Oliver Cromwell during the period of his usurpation. It was a square fort, with five demi-bastions and a ditch; the gates were indeed demolished, but the ramparts were tolerably entire, and the Brigadier lost no time in barricading all accessible places with beams, planks, carts, and barrels, filled with stones and other similar materials. The vessels in the harbour supplied them

with cannon, which they planted on the ramparts, and prepared themselves as well as circumstances admitted for a desperate defence.

Early next morning the Duke of Argyle presented himself before the fortified post of the Highlanders, with his three hundred dragoons, two hundred infantry, and about six hundred new-levied men, militia and volunteers; among the latter class were seen several clergymen, who, in a war of this nature, did not consider their sacred character inconsistent with assuming arms. The Duke summoned the troops who occupied the citadel to surrender, under the penalty of high treason, and declared, that if they placed him under the necessity of bringing up cannon, or killed any of his men in attempting a defence, he would give them no quarter. A Highland gentleman, named Kinackin, answered resolutely from the ramparts, "That they laughed at his summons of surrender—that they were ready to abide his assault; as for quarter, they

would neither give nor receive it—and if he thought he could force their position, he was welcome to try the experiment."

The Duke having received this defiance, carefully reconnoitred the citadel, and found the most important difficulties in the way of the proposed assault. The troops must have advanced two hundred yards before arriving at the defences, and during all that time would have been exposed to a fire from an enemy under cover. Many of those who must have been assailants were unacquainted with discipline, and had never seen action; the Highlanders, though little accustomed to exchange the fire of musketry in the open field, were excellent marksmen from behind walls, and their swords and daggers were likely to be formidable in the defence of a breach or a barricade, where the attack must be in some degree tumultuary. To this was to be added the Duke's total want of cannon and mortars, or artillery-men by whom they could be managed. All these reasons induced Argyle to post-

pone an attack, of which the result was so uncertain, until he should be better provided. The volunteers were very anxious for an attack; but we are merely told, by the reverend historian of the rebellion, that when they were given to understand that the post of honour, viz. the right of leading the attack, was their just right as volunteers, it made them heartily approve of the Duke's measure in deferring the enterprise. Argyle therefore retreated to Edinburgh, to make better preparations for an attack with artillery next day.

But as MacIntosh's intention of seizing on the capital had failed, it did not suit his purpose to abide in the vicinity. He left the citadel of Leith at nine o'clock, and conducted his men in the most profound silence along the sands to Seaton House, about ten miles from Edinburgh, a strong castle belonging to the Earl of Winton, surrounded by a high wall. Here they made a show of fortifying themselves, and collecting provisions, as if they in-

tended to abide for some time. The Duke of Argyle, with his wonted celerity, made preparations to attack MacIntosh in his new quarters. He sent to the camp at Stirling for artillery-men, and began to get ready some guns in Edinburgh Castle, with which he proposed to advance to Seaton, and dislodge its new occupants. But his purpose was again interrupted by express upon express, dispatched from Stirling by General Whetham, who commanded in the Duke's absence, acquainting his superior with the unpleasing information that Mar, with his whole army, was advancing towards Stirling, trusting to have an opportunity of destroying the few troops who were left there, and which did not exceed a thousand men.

Upon these tidings the Duke, leaving two hundred and fifty men of his small command under the order of General Wightman, to prosecute the plan of dislodging the Highlanders from their stronghold of Seaton, returned in all haste, with the small remain-

der of his forces, to Stirling, where his presence was much called for. But before adverting to events which took place in that quarter, we shall conduct MacIntosh and his detachment some days' journey farther on their progress.

On Saturday, the 15th of October, the environs of Seaton House were reconnoitred by a body of dragoons and volunteers. But as the Highlanders boldly marched out to skirmish, the party from Edinburgh thought themselves too weak to hazard an action, and retired towards the city, as did the rebels to their garrison. On Monday, the 17th of October, the demonstration upon Seaton was renewed in a more serious manner, Lord Rothes, Lord Torphichen, and other officers, marching against the house with three hundred volunteers, and the troops which had been left by the Duke of Argyle, to dislodge MacIntosh. But neither in this third attempt was it found prudent to attack the pertinacious mountaineers, as indeed a repulse, in the neighbourhood of

the capital, must necessarily have been attended with consequences not to be rashly risked. The troops of the government, therefore, returned a third time to Edinburgh, without having further engaged with the enemy than by a few exchanges of shot.

MacIntosh did not consider it prudent to give his opponent an opportunity of attacking him again in his present position. He had sent a letter to General Forster, which, reaching the gentlemen engaged in that unadvised expedition, while they were deliberating whether they should not abandon it, determined them to remain in arms, and unite themselves with those Highlanders, who had crossed the Frith at such great risk, in order to join them. Forster and Kenmure, therefore, returned an answer to MacIntosh's communication, proposing to meet his forces at Kelso or Coldstream, as should be most convenient for him.—Such letters as the Brigadier had received from Mar, since passing the Forth, as well as

the tenor of his former and original instructions, directed him to form a junction with the gentlemen engaged on the Borders; and he accepted accordingly of their invitation, and assigned Kelso as the place of meeting. His first march was to the village of Longformachus, which he reached on the evening of the 19th of October. It may be mentioned, that, in the course of their march, they passed Hermandston, the seat of Dr Sinclair, which MacIntosh, with some of the old vindictive Highland spirit, was extremely desirous to have burned, in revenge of the death of young Hepburn of Keith. He was dissuaded from this extreme course, but the house was plundered by Lord Nairne's Highlanders, who were active agents in this species of punishment. Sir William Bennet of Grubet, who had occupied Kelso for the government, with some few militia and volunteers, learning that fifteen hundred Highlanders were advancing against him from

the eastward, while five or six hundred horse, to which number the united forces of Kenmure and Forster might amount, were marching downwards from the Cheviot mountains, relinquished his purpose of defending Kelso; and, abandoning the barricades, which he had made for that purpose, retired to Edinburgh with his followers, carrying with him the greater part of the arms which he had provided.

The cavalry of Forster and Kenmure, marching from Wooler, arrived at Kelso a few hours before the Highlanders, who set out on the same morning from Dunse. The Scottish part of the horse marched through Kelso without halting, to meet with MacIntosh at Ednam-bridge, a compliment which they conceived due to the gallantry with which, through many hazards, the Brigadier and his Highlanders had advanced to their succour. The united forces, when mustered at Kelso, were found to amount to about six hundred horse and fourteen hundred foot, for MacIntosh had lost some

men by desertion. They then entered the town in triumph, and possessed themselves of such arms as Sir William Bennet had left behind him. They proclaimed James VIII. in the market-place of this beautiful town, and attended service (the officers at least) in the Old Abbey Church, where a non-juring clergyman preached a sermon on hereditary right, the text being, Deut. xxi. 17, *The right of the first-born is his.* The chiefs then held a general council on the best mode of following out the purposes of their insurrection. There were two lines of conduct to choose betwixt, one of which was advocated by the Scottish gentlemen, the other by the insurgents from the north of England.

According to the first plan of operations, it was proposed that their united forces should move westward along the Border, occupying in their way the towns of Dumfries, Ayr, and Glasgow itself. They expected no resistance on either of these points, which their union with MacIntosh's troops

might not enable them to overcome. Arrived in the west of Scotland, they proposed to open the passes, which were defended chiefly by militia and volunteers, to the very considerable force of the Argyleshire clans, which were already assembled under General Gordon. With the Earl of Mar's far superior army in front, and with the force of MacIntosh, Kenmure, and Forster upon his left flank and in his rear, it was conceived impossible that, with all his abilities, the Duke of Argyle could persevere in maintaining his important post at Stirling; there was every chance of his being driven entirely out of the "ancient kingdom," as Scotland was fondly called.

This plan of the campaign had two recommendations. In the first place, it tended to a concentration of the rebel forces, which, separated as they were, and divided through the kingdom, had hitherto been either checked and neutralized like that of Mar by the Duke of Argyle, or fair-

ly obliged to retreat and shift for safety from the forces of the government, as had been the fate of Forster and Kenmure. Secondly, the basis on which the scheme rested was fixed and steady. Mar's army, on the one hand, and Gordon with the clans, on the other, were bodies of troops existing and in arms, nor was there any party in the field for the government, of strength adequate to prevent their forming the proposed junction.

Notwithstanding these advantages, the English insurgents expressed the strongest wish to follow an opposite course, and carry the war again into England, from which they had been so lately obliged to retreat. Their proposal had at first a bold and spirited appearance, and might, had it been acted upon with heart and unanimity, have had a considerable chance of success. The dragoons and horse which had assembled at Newcastle under General Carpenter, were only a thousand strong, and much fatigued with forced marches. Reinforced as the in-

surgents were with MacIntosh and his infantry, they might have succeeded by a sudden march in attacking Carpenter in his quarters, or fighting him in the field; at all events, their great superiority of numbers would have compelled the English general either to hazard an action at very great disadvantage, or to retreat. In either case, the Northumbrian gentlemen would have remained masters of their native province, and might have made themselves masters of Newcastle, and interrupted the coal trade; and, finally, the great possessions and influence of Lord Derwentwater and others would have enabled them to add to their force as many infantry as they might find means of arming, without which, the gentry who were in arms could only be considered as a soul without a body, or a hilt without a blade. But Forster and his friends would not agree to a measure which had so much to recommend it, but lost time in empty debates, remaining at Kelso from the 22d to the 27th of October, until it became

impossible to put the plan in execution. For they learned, that while they were deliberating General Carpenter was acting; and his little army, being reinforced and refreshed, was now advanced to Wooler, to seek them out and give them battle.

Forster and the English officers then insisted on another scheme, which should still make England the scene of the campaign. They proposed that, eluding the battle which General Carpenter seemed willing to offer, they should march westward along the middle and west Borders of Scotland, till they could turn southward into Lancashire, where they assured their Scottish confederates that their friends were ready to rise in numbers, to the amount of twenty thousand men at least, which would be sufficient to enable them to march to London in defiance of all opposition.

Upon this important occasion the insurgents gave a decided proof of that species of credulity which disposes men to receive, upon very slight evidence, such tidings as

flatter their hopes and feelings, and which induced Addison to term the Jacobites of that period a race of men who live in a dream, daily nourished by fiction and delusion, and whom he compares to the obstinate old knight in Rabelais, who every morning swallowed a chimera for breakfast.

The Scottish gentlemen, and Lord Winton in particular, were not convinced by the reasoning of their Southern friends, nor do they appear to have been participant of their sanguine hopes of a general rising in Lancashire; accordingly, they strongly opposed the movement in that direction. All, therefore, which the rebels, in their divided counsels, were able to decide upon with certainty, was to move westward along the Border, a course which might advance them equally on their road, whether they should finally determine to take the route to the west of Scotland or to Lancashire. We must refer to a future part of this history for the progress and ultimate fate of this ill-starred expedition.

## CHAP. IX.

*The Earl of Mar remains inactive at Perth—his Resolution to march upon Stirling—his Advance, Abandonment of the Plan, and Return to Perth—Surprisal of a Jacobite Detachment at Dunfermline—Argyle joined by Reinforcements—Mar also joined by Seaforth, General Gordon, with the Clans of the West, and Breadalbane—Both Armies, being now fully reinforced, have no further pretext for postponing Active Operations.*

We must now return to the Earl of Mar's army, which must be considered as the centre and focus of the insurrection. Since his occupation of Perth, Lord Mar had undertaken little which had the appearance of military enterprise. His possession even of Fifeshire and Kinross had been in some degree contested by the supporters of go-

vernment. The Earl of Rothes, with a few dragoons and volunteers, had garrisoned his own house of Lesly, near Falkland, and was active in harassing those parties of horse which Mar sent into the country to proclaim James VIII., and levy the cess and public taxes. Upon one of these occasions (28th September) he surprised Sir Thomas Bruce, while in the act of making the proclamation in the town of Kinross, and carried him off a prisoner. The Earl of Rothes retained possession of his garrison till Mar's army became very strong, when he was obliged to withdraw it. But Mar continued to experience occasional checks, even in the military promenades in which he employed the gentlemen who composed his cavalry. It is true, these generally arose from nothing worse than the loose discipline observed by troops of this condition, their carelessness in mounting guards, or in other similar duties, to which their rank and habits of life had not accustomed them.

The only important manœuvre attempted by the Earl of Mar, was the expedition across the Frith under Brigadier MacIntosh, of which the details are given in the last chapter. Its consequences were such as to force the General himself into measures of immediate activity, by which he had not hitherto seemed much disposed to distinguish himself, but which became now inevitable.

It happened that, on the second day after MacIntosh's departure from Fife, a general review of the troops in Perth was held in the vicinity of that town, and the Earl Marischal's brother, James, (afterwards the celebrated Field-Marshal Keith,) galloped along the line, disseminating some of those favourable reports which were the growth of the day, and, as one succeeded as fast as another dropped, might be termed the fuel which supplied the fire of the insurrection, or rather, perhaps, the bellows which kept it in excitation. The apocryphal tidings of this day were, that

Sir William Wyndham had surprised Bristol for King James III., and that Sir William Blacket had taken both Berwick and Newcastle—intelligence received by the hearers with acclamations, which, if it had been true, were no less than it deserved.

But from these visions the principal persons in the insurrection were soon recalled to sad realities. A meeting of the noblemen, chiefs of clans, and commanders of corps, was summoned, and particular care taken to exclude all intruders of inferior rank. To this species of council of war Mar announced, with a dejected countenance, that Brigadier MacIntosh, having, contrary to his orders, thrown himself into the citadel of Leith, was invested there by the Duke of Argyle. He laid before them the letter he had received from the Brigadier, which stated that a few hours would determine his fate, but that he was determined to do his duty to the last. The writer expressed his apprehension that cannons and

mortars were about to be brought against him. The Earl of Mar said that he gave the detachment up for lost, but suggested it might be possible to operate a diversion in its favour, by making a feint towards Stirling. The proposal was seconded by General Hamilton, who said that such a movement might possibly do good, and could produce no harm.

The movement being determined upon, Mar marched with a large body of foot to Auchterarder, and pushed two squadrons of horse as far forward as Dunblane, which had the appearance of a meditated attack upon Stirling. It is said to have been the opinion of General Hamilton, that the foot should have taken possession of a defile which continues the road from the northern end of Stirling bridge through some low and marshy ground, and is called the Long Causeway. The rebels being in possession of this long and narrow pass, it would have been as difficult for the Duke of Argyle to have got at them as it was for

them to reach him. And the necessity of guarding the bridge itself with the small force he possessed, must have added to Argyle's difficulties, and afforded General Gordon, and the western clans who were by this time expected to be at Dunbarton, full opportunity to have advanced on Stirling by Drymen and the Loch of Monteith, keeping possession, during their whole march, of high and hilly grounds fit for the operations of Highlanders. In this manner the Duke of Argyle would have been placed between two fires, and must have run the greatest risk of being cut off from the reinforcements which he anxiously expected from Ireland, as well as from the west of Scotland.

Against this very simple and effective plan of the campaign, Mar had nothing to object but the want of provisions; in itself a disgrace to a General who had been quartered so long in the neighbourhood of the Carse of Gowrie, and at the end of autumn, when the farmyards are full, without having secured a

quantity of meal adequate to the maintenance of his army for a few days. General Hamilton combated this objection, and even demonstrated that provisions were to be had; and Mar apparently acquiesced in his reasoning. But having come with the infantry of his army as far as Ardoch, the Earl stopped short, and refused to permit the movement on the Long Causeway to be made, alleging that Marischal and Linlithgow had decided against the design. It seems probable, that, as the affair drew to a crisis, Mar, the more that military science was wanted, felt his own ignorance the more deeply, and, afraid to attempt any course by which he might have controlled circumstances, adopted every mode of postponing a decision, in the hope they might, of themselves, become favourable in the long run.

In the meantime, the news of Mar's march to Auchterarder and Dunblane had, as we have elsewhere noticed, recalled the Duke of Argyle to his camp at Stirling,

leaving a few of his cavalry, with the militia and volunteers, to deal with MacIntosh and his nimble Highlanders; who escaped out of their hands, first by their defence of Seaton, and then by their march to Kelso. Argyle instantly took additional defensive measures against Mar, by barricading the bridge of Stirling, and breaking down that which crosses the Teith at the village of Doune. But his presence so near his antagonist was sufficient to induce the Earl of Mar to retreat with his whole force to his former quarters at Perth, and wait the progress of events.

These were now approaching to a crisis. With MacIntosh's detachment Mar had now no concern; they were to pursue their good or evil destiny apart. The Earl of Mar had also received a disagreeable hint, that the excursions by which he used to supply himself with funds as well as to keep up the terror of his arms, were not without inconvenience. A detachment of about four-

score horse and three hundred Highland foot, chiefly followers of the Marquis of Huntly, was sent to Dunfermline to raise the cess. The direct road from Perth to Dunfermline is considerably shorter, but the troops had orders to take the route by Castle-Campbell, which prolonged the journey considerably, for no apparent purpose save to insult the Duke of Argyle's garrison there, by marching in their view. When the detachment arrived at Dunfermline, Gordon of Glenbucket, who commanded the Highlanders, conducted them into the old Abbey, which is strongly situated, and there placed a sentinel. He took up his own quarters in the town, and placed a sentinel there also. The commander of the horse, Major Graham, took the ineffectual precaution of doing the same at the bridge, but used no farther means to avoid surprise. The gentlemen of the squadron sought each his personal accommodation, with their usual neglect of discipline, neither knowing with accuracy where they

were to find their horses, nor fixing on any alarm-post where they were to rendezvous. Their officers sat down to a bottle of wine. During all this scene of confusion, the Honourable Colonel (afterwards Lord) Cathcart, was lying without the town, with a strong party of cavalry, and obtaining regular information from his spies within it.

About five in the morning of the 24th of October, he entered the town with two parties of his dragoons, one mounted and the other on foot. The surprisal was complete, and the Jacobite cavaliers suffered in proportion; several were killed and wounded, and about twenty made prisoners, whose loss was the more felt, as they were all gentlemen, and some of them considerable proprietors. The assailants lost no time in their enterprise, and retreated as speedily as they entered. The neighbourhood of the Highland infantry in the Abbey was a strong reason for dispatch. This slight affair seemed consi-

derable in a war which had been as yet so little marked by military incident. The appearance of the prisoners at Stirling, and the list of their names, gave eclat to the Duke of Argyle's tactics, and threw disparagement on those of Mar. On the other side, stories were circulated at Perth of the loss which Cathcart had sustained in the action, with rumours of men buried in the night, and horses returned to Stirling without their riders. This account, however fabulous, was received with credit even by those who were engaged at Dunfermline; for the confusion having been general, no one knew what was the fate of his comrade. But, in very deed, the whole return of casualties on Colonel Cathcart's side amounted to a dragoon hurt in the cheek, and a horse wounded. This little affair was made the subject of songs and pasquils in the army at Perth, which increased the Marquis of Huntly's disgust at the enterprise.

By this time three regiments of infantry, and Evans's dragoons, had joined the Duke of Argyle, who now felt himself strong enough to make detachments, without the fear of weakening his own position. A battalion of foot was sent to Kilsythe, along with a detachment of dragoons, who were to watch the motions of the troops of Forster and Kenmure, in case the whole, or any part of them, should resolve to penetrate into the west of Scotland.

The Earl of Mar was also on the point of being joined by the last reinforcements which he could expect, the non-arrival of which had hitherto been the cause, or at least the apology, for his inactivity. The various causes of delay had been at length removed in the following manner. Seaforth, it must be remembered, was confronted by Lord Sutherland with his own following, and the Whig clans of Grant, Monro, Ross, and others. But about the same time the Earl of Seaforth was joined by Sir Donald MacDonald of Skye, with seven hundred

of his own clan, and as many MacKinnons, Chisholms, and others, as raised the total number to about four thousand men. The Earl of Sutherland, finding this force so much stronger than what he was able to bring against it, retreated to the Bonar, a strait of the sea dividing Ross-shire from Sutherland, and there passed to his own side of the ferry. Seaforth, now unopposed, advanced to Inverness, and after leaving a garrison there, marched to Perth, to join the Earl of Mar, to whose insurrectionary army his troops made a formidable addition.

The clans of the West were the only reinforcements which Mar had now to expect; but these were not only considerable from their numbers, but claimed a peculiar fame in arms even over the other Highlanders, both from their zeal for the Jacobite cause, and their distinguished bravery. But Mar had clogged General Gordon, who was to bring up this part of his forces, with a commission which would

detain him some time in Argyleshire. His instructions directed him especially to take and garrison the Castle of Inverary, the principal seat of the Duke of Argyle. The clans, particularly those of Stewart of Appin and Cameron of Lochiel, though opposed to the Duke in political principles, respected his talents, and had a high regard for his person as an individual, and therefore felt reluctance at entering upon a personal quarrel with him by attacking his castle. These chiefs hung back accordingly, and delayed joining. When Glengarry and Clanronald had raised their clans, they had fewer scruples. During this time, Campbell of Finnab was intrusted with the difficult task of keeping the assailants in play until the Duke of Argyle should receive his expected reinforcements from Ireland. He was soon joined by the Earl of Islay, the Duke's younger brother. By the assistance of Sir James Campbell of Auchinbreck, about a thousand men were assembled to defend Inverary,

when four or five thousand appeared in arms before it. A sort of treaty was entered into, by which the insurgent clans agreed to withdraw from the country of Argyle; with which purpose, descending Strathfillan, they marched towards Castle-Drummond, which is in the vicinity of Perth, and within an easy march of Mar's head-quarters.

One important member of the insurrection must also be mentioned. This was the Earl of Breadalbane, the same unrelenting statesman who was the author of the Massacre of Glencoe. He had been employed by King William in 1689 to achieve, by dint of money, the settlement and pacification of the Highlands; and now, in his old age, he imagined his interest lay in contributing to disturb them. When cited to appear at Edinburgh as a suspected person, he procured a pathetic attestation under the hand of a physician and clergyman, in which the Earl was described as an infirm man, overwhelmed with all the evils that wait on

old age. None of his infirmities, however, prevented him from attending the Earl of Mar's summons, on the very day after the certificate is dated. Breadalbane is supposed to have received considerable sums of money from the Earl of Mar, who knew the only terms on which he could hope for his favour. But for a long time the wily Earl did nothing decisive, and it was believed that he entertained a purpose of going to Stirling, and reconciling himself with the Duke of Argyle, the head of the elder branch of his house. This, however, Breadalbane did not do; but, on the contrary, appeared in the town of Perth, where the singular garb and peculiar manners of this extraordinary old chief, attracted general attention. He possessed powers of satirical observation in no common degree; and seemed to laugh internally at whatever he saw, which he considered as ridiculous, but without suffering his countenance to betray his sentiments, except to very close observers. Amidst the various difficulties of the insur-

gents, his only advice to them was, to procure a printing press, and lose no time in issuing gazettes.

Mar took the hint, whether given in jest or earnest. He sent to Aberdeen for a printing press, in order to lose no time in diffusing intelligence more widely by that comprehensive organ of information. It was placed under the management of Robert Freebairn, one of the printers for the late Queen Anne, whose principles had led him to join the insurgent army. He was chiefly employed in extending by his art the delusions through means of which the insurrection had been originally excited, and was in a great measure kept afloat. It is a strong example of this, that while Mar actually knew nothing of the fate of Forster and Kenmure, with the auxiliary party of Highlanders under MacIntosh; yet it was boldly published that they were masters of Newcastle, and carried all before them, and that the Jacobites around London had taken arms in such numbers, that King George

had found it necessary to retire from the metropolis.

It does not appear that the Earl of Breadalbane was so frank in affording the rebels his military support, which was very extensive and powerful, as in imparting his advice how to make an impression on the public mind by means of the press. His own age excused him from taking the field; and it is probable, his experience and sagacious observation discovered little in their counsels which promised a favourable result to their enterprise, though supported certainly by a very considerable force in arms. A body of his clan, about four or five hundred strong, commanded by the Earl's kinsman, Campbell of Glendarule, joined the force under General Gordon; but about four hundred who had apparently engaged in the enterprise against Inverary, and were embodied for that purpose, dispersed and returned to their own homes afterwards without joining Mar.

The whole force being now collected on both sides, it seemed inevitable, that the clouds of civil war which had been so long lowering on the horizon, should now burst in storm and tempest, on the devoted realm of Scotland.

END OF VOLUME FIRST.

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